



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

Thursday, March 2, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 28

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

1. PUBLIC COMMENTS:

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

2. COUNCIL COMMENTS:

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

3. APPROVAL OF CONSENT AGENDA:

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

- A. [2017-0962](#) Approval of Action Letters from February 2, 9 and 16, 2017.
- B. [2017-1000](#) Approval of a name change from Mint Asian Cafe & Sushi to Mint Sushi, located at 1209 NE Rice Road, currently holding a Type G3 Liquor License. Also a corporation name change to Zheng Li Inc.
- C. [2017-0999](#) Approval of upgrade from a Type H License to a Type G1 for Summit Cellar & Spirits, 815 NE Lakewood Boulevard, upgrade from a Type H License to a Type G1. (No change to Sunday and Tasting Licenses)

- D. [2017-1004](#) Approval of Type H & S Liquor License for Libations & Company, 23 SE 3rd Street.

4. RESOLUTIONS:

- A. [RES. NO. 17-05](#) A RESOLUTION IN SUPPORT OF THE LEE'S SUMMIT POLICE DEPARTMENT'S APPLICATION FOR GRANT FUNDING IN THE MISSOURI HIGHWAY SAFETY PROGRAM FOR TRAFFIC ENFORCEMENT.

5. PUBLIC HEARINGS (Sworn):

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

- A. [2016-0501](#) CONTINUED PUBLIC HEARING - Appl. #PL2016-114 - PRELIMINARY DEVELOPMENT PLAN - approximately 7.11 acres located at the southeast corner of NW Blue Parkway and NW Colbern Road for the proposed Summit Village; Newmark Grubb Zimmer, applicant.
- B. [2017-0972](#) CONTINUED PUBLIC HEARING - Appl. #PL2016-219 - REZONING from AG to R-1 and PRELIMINARY DEVELOPMENT PLAN - Whispering Woods, approximately 76 acres generally located at the northeast corner of SW Pryor Road and SW Hook Road; Whispering Woods Land, LLC, applicant.
- C. [2017-0925](#) PUBLIC HEARING - Appl. #PL2017-002 - UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT #60 - Article 8 Accessory Uses and Structures, to allow tattoo and body piercing as an accessory use in the PO District; City of Lee's Summit, applicant.
- D. [2017-0930](#) PUBLIC HEARING - Appl. #PL2017-010 - EnVision LS Area Development Plan (ADP) Design Standards for an area generally bounded by Pine Tree Plaza, U.S. 50 Highway, ADESA Property, Jefferson Street, Persels (West of M-291), 16th Street (East of M-291), The Union Pacific Railroad Right-Of-Way and South M-291 Highway known as the Envision LS Master Development Plan excepting the 85 acres owned by Westcott Investment Group, LLC; City of Lee's Summit, applicant.

6. OTHER BUSINESS:

- A. [BILL NO. 17-46](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON APPROXIMATELY 7.11 ACRES LOCATED AT THE SOUTHEAST CORNER OF NW BLUE PARKWAY AND NW COLBERN ROAD FOR THE PROPOSED SUMMIT VILLAGE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

- B. [BILL NO. 17-50](#) AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM AG TO R-1 ON APPROXIMATELY 76 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF SW PRYOR RD. AND SW HOOK RD. FOR THE PROPOSED WHISPERING WOODS RESIDENTIAL SUBDIVISION, AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR WHISPERING WOODS SUBDIVISION, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.
- C. [BILL NO. 17-51](#) AN ORDINANCE APPROVING APPLICATION #PL2017-002 - AMENDMENT #60 TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO) - ARTICLE 8 ACCESSORY USES AND STRUCTURES; CITY OF LEE'S SUMMIT, APPLICANT.
- D. [BILL NO. 17-52](#) AN ORDINANCE APPROVING APPLICATION #PL2017-010 - ENVISION LS AREA DEVELOPMENT PLAN (ADP) DESIGN STANDARDS FOR AN AREA GENERALLY BOUNDED BY PINE TREE PLAZA, US 50 HWY, ADESA PROPERTY, JEFFERSON STREET (WEST OF M-291 HWY), 16TH STREET (EAST OF M-291 HWY), UNION PACIFIC RAILROAD RIGHT OF-WAY AND SOUTH M-291 HWY, KNOWN AS THE ENVISION LS CONCEPTUAL DEVELOPMENT MASTER PLAN, EXCEPTING THE 85 ACRES OWNED BY WESTCOTT INVESTMENT GROUP, LLC; ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.
- E. [BILL NO. 17-53](#) ORDINANCE APPROVING THE FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED LONGVIEW FARM TAX INCREMENT FINANCING PLAN.

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

8. **COUNCIL ROUNDTABLE:**

9. **STAFF ROUNDTABLE:**

10. **ADJOURNMENT**

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

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Internet site at "www.cityofls.net".



The City of Lee's Summit

220 SE Green Street
Lee's Summit, MO 64063

Packet Information

File #: 2017-0962, **Version:** 1

Approval of Action Letters from February 2, 9 and 16, 2017.



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

Thursday, February 2, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 25 - AMENDED

CALL TO ORDER

Mayor Rhoads called the Lee's Summit City Council Regular Session No. 25 to order at 6:15 p.m.

Present: 8 - Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Chris Moreno
Councilmember Dave Mosby
Councilmember Diane Seif

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 8 - Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Chris Moreno
Councilmember Dave Mosby
Councilmember Diane Seif

APPROVAL OF AGENDA

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that the agenda be approved as published. The motion carried by a unanimous vote.

1. PUBLIC COMMENTS:

Ms. Jane Monroe addressed the Council about the cost of insurance required for companies who receive City bids. She has a one-year contract with several renewals and when the renewal was due, she was told her

insurance was not sufficient to do business with the City. In talking with her insurance agent, she found the cost would double. In 2016, the insurance was 40% of her bottom line profit. Conducting business with the City is not profitable, especially with the time required to attend procurement meetings and filling out so much paperwork. The concept of the "little guy" doing business with the City does not make sense. Mayor Rhoads thanked her for sharing that perspective.

2. COUNCIL COMMENTS:

Councilmember Binney mentioned discussion at the Rules Committee meeting regarding appointments of official members of the Finance and Budget Committee, specifically the quorum requirements. He will have new appointments on the next meeting agenda.

3. APPROVAL OF CONSENT AGENDA:

- A. [2017-0874](#) Approval of Action Letters for January 5, 12, and 19, 2017.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that these Minutes be approved. The motion carried by a unanimous vote.

- B. [2017-0899](#) Mayor's Appointments:
Human Services Advisory Board: Reappoint Michael Straughn, REXANNE HILL, Sue Jackson, Marla Franklin, Matthew Silvers, Cotton Sivils, and Helen Hatridge terms to expire 01-20-21.
License Tax Review Committee: Reappoint Dena Mezger, Karl Blumenhorst, Glen Jones and Cynda Rader, terms to expire 02-20-19.
Livable Streets Advisory Board: Reappoint Eric Vaughan, James Ray, Eric Kratz terms to expire 2-17-20.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that these Appointments be approved. The motion carried by a unanimous vote.

- C. [2017-0907](#) Approval of a Type A1 Liquor License for Smoke Brewing Company, LLC, 209 SE Main Street.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that this Liquor License be approved. The motion carried by a unanimous vote.

- D. [2017-0912](#) Houlihan's change of managing officer, currently holding a Type G3 and S Liquor License.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that this Liquor License be approved. The motion carried by a unanimous vote.

4. PROPOSED ORDINANCES:

- A. [BILL NO. 17-24](#) AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "QUIKTRIP NO. 0191, LOTS 1-3 & TRACTS A-C", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

City Council - Regular Session

Action Letter

February 2, 2017

ACTION: A motion was made by Councilmember Moreno, seconded by Councilmember Binney, that Bill No. 17-24 be approved and numbered Ord. No. 8078. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8078

- B.** [BILL NO. 17-25](#) AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED WITHIN THE PLAT ENTITLED "LOT 251, PARK RIDGE 5th PLAT," IN THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Seif, that Bill No. 17-25 be approved and numbered Ord. No. 8079. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8079

- C.** [BILL NO. 17-26](#) AN ORDINANCE AMENDING ORDINANCE NO.8028 AND ACCEPTING FINAL PLAT ENTITLED "MONTICELLO 2nd PLAT, LOTS 33-67 & TRACTS D-F", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Binney, that Bill No. 17-26 be approved and numbered Ord. No. 8080. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8080

5. RESOLUTIONS:

- A.** [RES. NO. 17-02](#) A RESOLUTION DIRECTING STAFF TO EXTEND THE TIME PERIOD FOR THE SUSPENSION AND DELAY OF THE ACCEPTANCE AND PROCESSING OF DEVELOPMENT APPLICATIONS AND APPLICATIONS FOR BUILDING

PERMITS IN AN AREA GENERALLY BOUNDED BY PINE TREE PLAZA, 50 HIGHWAY, ADESA PROPERTY, JEFFERSON STREET, PERSELS (WEST OF M-291), 16TH STREET (EAST OF M-291) THE UNION PACIFIC RAILROAD RIGHT-OF-WAY AND SOUTH M-291 HIGHWAY TO A DATE OF MARCH 17, 2017.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Res. No. 17-02 be adopted. The motion carried by a unanimous vote.

- B. [RES. NO. 17-03](#) A RESOLUTION AUTHORIZING THE MAYOR TO APPOINT SUCCESSOR DIRECTORS TO THE BLUE PARKWAY AND COLBERN ROAD COMMUNITY IMPROVEMENT DISTRICT.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Res. No. 17-03 be adopted. The motion carried by a unanimous vote.

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

- A. [2016-0501](#) CONTINUED PUBLIC HEARING - Appl. #PL2016-114 - PRELIMINARY DEVELOPMENT PLAN - approximately 7.11 acres located at the southeast corner of NW Blue Pkwy and NW Colbern Rd for the proposed Summit Village; Newmark Grubb Zimmer, applicant

Mayor Rhoads closed the regular session at 6:30 p.m. and opened the public hearing.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, that this Public Hearing be continued to the City Council Regular Session on 2/16/2017. The motion carried by a unanimous vote.

- B. [2016-0805](#) CONTINUED PUBLIC HEARING - Appl. #PL2016-184 - SPECIAL USE PERMIT renewal for outdoor storage of temporary storage containers - Walmart, 1000 NE Sam Walton Lane; Walmart Real Estate Business Trust, applicant.

Mayor Rhoads closed the regular session at 6:30 p.m. and opened the public hearing. Ms. Kelly Butts, co-manager of Wal Mart, 1000 NE Walton Lane, advised this request was to renew an existing special use permit. The containers are only used during the holiday season to store layaway items and are not visible from the roads.

Ms. Christina Stanton, Senior Planner, presented Exhibits 1-19, which were accepted into the record by Mayor Rhoads. Staff recommended approval of the special use permit renewal, subject to Staff's letter of January 6, 2017, Items 1-4. The applicant previously acknowledged receipt and acceptance of the letter from Staff.

Hearing no further testimony, Mayor Rhoads closed the public hearing and reopened the regular session at 6:35 p.m.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that the request for the Special Use Permit renewal be approved, subject to

Staff's letter dated January 6, 2017, with conditions #1-4. The motion carried by a unanimous vote.

- C. [2016-0837](#) PUBLIC HEARING - Plan for an Industrial Development Project for Archview Properties, LLC, for the Village at View High Apartments

At 6:37 p.m., Mayor Rhoads closed the regular session and opened the public hearing.

Mr. Mark Dunning, Assistant City Manager, introduced the applicant and provided information on the application, which is a Chapter 100 Industrial Development Plan, including a 300-unit multi-family apartment complex. A PDP was approved by the Council in October of 2016, at which time a capital plan was provided. This plan is now before the Council for consideration and action. He explained the PILOT (Payment In Lieu Of Taxes), is based on County assessments. Council previously directed Staff to amend the PILOT amount to \$1,051 per door to reflect changes in the County assessment. The applicants were made aware of this change and the plan before the Council had been amended to reflect this amount.

Mr. Curtis Peterson with the Polsenelli Law Firm , 900 W. 49th Place, Kansas City, Missouri, advised the Council of the applicant's many high-quality, multi-family projects around the KC area and in other states.

In answer to a question from Councilmember Binney, Mr. Dunning advised there were a total of 1,901 multi-family units approved or in the process, including this project with 312 units, since 2015. Councilmember Binney was concerned about saturating the market. Mr. Dunning responded they were looking at the issue from a regional standpoint. At this time, multi-family units are a hot market.

Hearing no further testimony, Mayor Rhoads closed the public hearing at 6:55 p.m. and reconvened the regular session.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, to approve the plan for an Industrial Development Project for Village at View High, consisting of the construction and improvement of a commercial facility, and authorizing the City to issue taxable Industrial Development Revenue Bonds (Village at View High Project), Series 2017 in a principal amount not to exceed \$39,500,000 to finance the project, be approved. The motion carried by a unanimous vote.

7. **OTHER BUSINESS:**

- A. [BILL NO. 17-27](#) AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR OUTDOOR STORAGE OF TEMPORARY STORAGE CONTAINERS IN DISTRICT CP-2 ON LAND LOCATED AT 1000 NE SAM WALTON LANE FOR A PERIOD OF TEN (10) YEARS FROM THE PREVIOUS EXPIRATION DATE, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT,

MISSOURI.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, that Bill No. 17-27 be approved and numbered Ord. No. 8081. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8081

B. [BILL NO. 17-28](#)

AN ORDINANCE APPROVING A PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT FOR VILLAGE AT VIEW HIGH, CONSISTING OF THE CONSTRUCTION AND IMPROVEMENT OF A COMMERCIAL FACILITY; AUTHORIZING THE CITY OF LEE'S SUMMIT, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BONDS (VILLAGE AT VIEW HIGH PROJECT), SERIES 2017, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$39,500,000 TO FINANCE THE COSTS OF SUCH PROJECT; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Seif, that Bill No. 17-28 be approved and numbered Ord. No. 8082. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8082

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

Councilmember Seif encouraged everyone to sign up for one of the three Hands Free CPR training sessions at the Gamber Center on February 18th, sponsored by the Health Education Advisory Board (HEAB).

Councilmember Forte advised the CEDC will meet next Wednesday at 4:00 p.m.

9. COUNCIL ROUNDTABLE:

Councilmember Mosby remembered a matrix used by the Council for Long Range Planning, which had not been updated since last February. Councilmember Binney thought the matrix was going to be incorporated

into the Strategic Plan. Mr. Arbo advised he has been working with Mayor Rhoads to determine an appropriate Council meeting date to bring back the Strategic Plan report. Council would be starting fresh with the new Plan, using a great process that was approved by the full Council. He liked the four quadrants approach and thought they could keep that process but fill in the new goals set by this Council.

Councilmember Edson thought the Strategic Plan was piecemealing projects. She did not feel that apartments were an issue for economic development and wondered how to promote more economic development other than supporting EDC.

Councilmember Moreno asked about street lighting in older neighborhoods and requested the issue be assigned to a committee.

Councilmember Binney discussed:

- Amazon will begin charging state sales tax on Internet sales; and,
- Requested rough construction estimates, versus RFP process, to further review the procurement process and why vendors are not bidding.

Upcoming events and recognition:

- From Parks Web site, two guys saved another who went into cardiac arrest;
- Congratulations to high school athletes in public and private schools who signed to collegiate sports;
- Free tax preparation will be provided in City Hall again this year;
- Local radio station recognizing local heroes and Allison Hoffman from Westview Elementary was recently recognized;
- Thoughts and prayers go to Shawn Rath with the Police Department;
- The Fire Department will be defending their championship in the Red vs Blue competition between Fire and Police;
- The Night in Blue Ball for law enforcement officials is this weekend.

10. STAFF ROUNDTABLE:

Mr. Arbo advised the Council that the number of Full Time Employees (FTE) for the Fire Department will exceed the number listed in the Budget by one FTE for a week, due to the number of new employees and the retirement of one employee. There were no objections voiced by the Council.

The Missouri Innovations Campus has an internship program and the City can participate in this program.

11. ADJOURNMENT

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

Thursday, February 9, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 26

CALL TO ORDER

Mayor Rhoads called Regular Session No. 26 to order at 6:21 p.m.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 8 - Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Chris Moreno
Councilmember Dave Mosby
Councilmember Diane Seif

APPROVAL OF AGENDA

COUNCIL ACTION: On motion of Councilmember Binney, second by Councilmember Forte, the Council voted unanimously to approve the published agenda.

1. PUBLIC COMMENTS:

There were no Public Comments.

2. COUNCIL COMMENTS:

There were no Council Comments.

3. APPROVAL OF CONSENT AGENDA:

- A. [2017-0929](#) Approval of a Type H & S Liquor License for Quik Trip #191, 1450 NE M-291 Highway.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Faith, that this Liquor License be approved as part of the Consent Agenda. The motion carried by a unanimous vote.

4. **PROPOSED ORDINANCES:**

- A. [BILL NO.](#) AN ORDINANCE APPROVING THE SECOND AMENDMENT TO
[17-29](#) COOPERATIVE AGREEMENT FOR RECIPROCAL SEWER SERVICE BY AND
BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE CITY OF
KANSAS CITY, MISSOURI FOR THE OPERATION AND MAINTENANCE OF
THE BOGGS HOLLOW SEWER INTERCEPTOR AND AUTHORIZING THE
MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY OF
LEE'S SUMMIT. (PWC 1/30/17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that this Ordinance be adopted and numbered. Ord. No. 8083 The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8083

- B. [BILL NO.](#) AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR LAND
[17-30](#) SURVEYING SERVICES IN THE AMOUNT OF \$34,000.00 FOR THE SMALL
MAIN REPLACEMENT PROGRAM PURSUANT TO THE ON-CALL
AGREEMENT FOR LAND SURVEYING SERVICES YEARLY CONTRACT
(RENEWAL NO. 2017-302-1) BETWEEN ANDERSON SURVEY COMPANY,
INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI. (PWC 1/30/17)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Seif, that this Ordinance be adopted and numbered. Ord. No. 8084 The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8084

- C. [BILL NO.](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT BY
[17-31](#) AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND GARVER
ENGINEERS, LLC, IN AN AMOUNT NOT TO EXCEED \$120,402.00 FOR
ENGINEERING SERVICES FOR THE GATEWAY DRIVE IMPROVEMENTS

City Council - Regular Session

Action Letter

February 9, 2017

(RFQ NO. 2017-305A). (PWC 1/30/17)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that this Ordinance be adopted and numbered. Ord. No. 8085 The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8085

- D.** [BILL NO. 17-32](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND WALTER P. MOORE, IN AN AMOUNT NOT TO EXCEED \$150,110.00 FOR ENGINEERING SERVICES FOR THE COMMERCE DRIVE IMPROVEMENTS (RFQ NO. 2017-305B). (PWC 1/30/17)

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Binney, that Bill No. 17-32 be adopted and numbered. Ord. No. 8086. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8086

- E.** [BILL NO. 17-33](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF MODIFICATION NO. 1 TO INTERGOVERNMENTAL AGREEMENT FOR REIMBURSEMENT OF RELOCATION OF FIBER OPTIC CABLE BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND THE REORGANIZED SCHOOL DISTRICT NO. 7 OF JACKSON COUNTY, MISSOURI. (PWC 1/30/17)

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Seif, that Bill No. 17-33 be adopted and numbered Ord. No. 8087. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

City Council - Regular Session

Action Letter

February 9, 2017

Enactment No: Ord. No. 8087

- F. [BILL NO.](#)
[17-34](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AMENDMENT TO STATE BLOCK GRANT AGREEMENT, AMENDMENT #2 BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, GRANTING FEDERAL FUNDS IN THE AMOUNT OF \$47,805.00 TO ASSIST WITH DESIGN ENGINEERING TO WIDEN AND EXTEND RUNWAY 18/36 AT THE LEE'S SUMMIT MUNICIPAL AIRPORT. (PWC 1/30/17)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Carlyle, that Bill No. 17-34 be adopted and numbered Ord. No. 8088. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8088

- G. [BILL NO.](#)
[17-35](#) AN ORDINANCE APPROVING AWARD OF RFQ 2017-306 TO SHANER APPRAISALS, INC. DBA VALBRIDGE PROPERTY ADVISORS, KELLER, CRAIG & ASSOCIATES AND BLISS ASSOCIATES, LLC FOR ON-CALL YEARLY REAL ESTATE APPRAISAL SERVICES, AND THREE SEPARATE ONE-YEAR CONTRACTS WITH THREE POSSIBLE ONE-YEAR RENEWAL OPTIONS. (PWC 1/30/17)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Seif, that Bill No. 17-35 be adopted and numbered Ord. No. 8089. The motion carried by the following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Seif

Nay: 2 - Councilmember Moreno
Councilmember Mosby

Enactment No: Ord. No. 8089

- H. [BILL NO.](#)
[17-36](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION SECOND SUPPLEMENTAL AGREEMENT TO AIRPORT AID AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, GRANTING STATE FUNDS IN THE AMOUNT OF \$2,656.00 FOR SPONSOR'S STATE BLOCK

GRANT FOR PROJECT NO. 11-109A-1, TO THE SPONSOR TO ASSIST IN ENGINEERING DESIGN TO WIDEN AND EXTEND RUNWAY 18/36 AT THE LEE'S SUMMIT MUNICIPAL AIRPORT. (PWC 1/30/17)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 17-36 be adopted and numbered Ord. No. 8090. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8090

I. [BILL NO. 17-37](#)

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND ALLGEIER MARTIN AND ASSOCIATES, INC., IN THE AMOUNT OF \$253,290 FOR PROFESSIONAL ENGINEERING SERVICES FOR SE 5TH TERRACE ROADWAY STREAM CROSSING AND FEMA MAP REVISIONS. (RFQ. NO. 2017-305-C) (PWC 1/30/17)

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Carlyle, that Bill No. 17-37 be adopted and numbered Ord. No. 8091. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8091

J. [BILL NO. 17-38](#)

AN ORDINANCE APPROVING A QUIT CLAIM DEED AND ASSIGNMENT OF SANITARY SEWER LINE EASEMENTS, RIGHTS OF WAY AND INFRASTRUCTURE AND BILL OF SALE FOR SEWER INFRASTRUCTURE TRANSFERRING CITY-OWNED SEWER INFRASTRUCTURE LOCATED IN THE CORPORATE CITY LIMITS OF KANSAS CITY, MISSOURI TO THE CITY OF KANSAS CITY, MISSOURI IN CONNECTION WITH THE SECOND AMENDMENT TO COOPERATIVE AGREEMENT FOR RECIPROCAL SEWER SERVICE AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT. (PWC 1/30/17)

ACTION: A motion was made by Councilmember Moreno, seconded by Councilmember Edson, that Bill No. 17-38 be adopted and numbered Ord. No. 8092. The motion carried by the following vote:

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Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 8092

- K.** [BILL NO. 17-39](#) AN ORDINANCE APPROVING AWARD OF RFP NO. 2017-060 FOR THE PROVISION OF HEALTH INSURANCE AND EMPLOYEE BENEFIT BROKERAGE/CONSULTING SERVICES TO HOLMES MURPHY & ASSOCIATES AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE-YEAR AGREEMENT WITH THE OPTION OF FOUR (4) ADDITIONAL ONE-YEAR RENEWALS WITH HOLMES MURPHY & ASSOCIATES FOR THE PROVISION OF SAID SERVICES. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 17-39 be adopted and numbered Ord. No. 8093. The motion carried by the following vote:

Aye: 5 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Seif

Nay: 3 - Councilmember Edson
Councilmember Moreno
Councilmember Mosby

Enactment No: Ord. No. 8093

5. OTHER BUSINESS:

- A.** [2017-0884](#) Land Clearance for Redevelopment Authority (LCRA) Application - Cowork - Lee's Summit, LCRA Urban Renewal Redevelopment Project, 210 SW Market Street; SF003, LLC Applicant (LCRA Application #2017-001)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, to direct staff to present an ordinance approving LCRA Application 2017-001, Cowork - Lee's Summit Urban Renewal Redevelopment Project, 210 SW Market Street, SF003, LLC, Applicant. The motion carried by a unanimous vote.

- B.** [BILL NO. 17-40](#) AN ORDINANCE APPROVING A LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY REDEVELOPMENT PROJECT, COWORK LEE'S SUMMIT PROJECT, PURSUANT TO THE PROVISIONS OF THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY LAW, SECTIONS 99.300 TO 99.660 RSMo.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 17-40 be adopted and numbered Ord. No. 8094. The motion carried by the following vote:

City Council - Regular Session

Action Letter

February 9, 2017

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Seif

Nay: 1 - Councilmember Mosby

Enactment No: Ord. No. 8094

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

Councilmember Carlyle noted the Finance and Budget Committee meetings will now begin at 4:30 pm instead of 4:00 pm, but still held on the first Monday of each month.

7. COUNCIL ROUNDTABLE:

Councilmember Mosby would like the Council to look at possible incentives for small start up companies that are looking to expand in Lee's Summit as a result of cowork LS and others like it. Councilmember Moreno agreed.

Councilmember Binney stated this type of thing had been discussed at different levels for several years now, but it is a good discussion topic.

Councilmember Forte, Chair of CEDC, stated she would be willing to have the committee look at it, though it would be challenging, it would be a good topic of discussion.

8. STAFF ROUNDTABLE:

There was no Staff Roundtable.

9. ADJOURNMENT

There being no further business, Mayor Rhoads adjourned Regular Session No. 26 at 8:10 pm.

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Internet site at "www.cityofls.net".



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

Thursday, February 16, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 27 - AMENDED

CALL TO ORDER

Mayor Rhoads called Regular Session No. 27 to order at 6:21p.m.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 7 - Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Chris Moreno
Councilmember Diane Seif

Absent: 1 - Councilmember Dave Mosby

APPROVAL OF AGENDA

COUNCIL ACTION: On motion of Councilmember Binney, second by Councilmember Carlyle, the Council voted unanimously (Councilmember Mosby "Absent") to approved the published Amended Agenda and adding Item 3.B. - Appointment of Alternate Committee Member - Finance and Budget Committee.

1. PUBLIC COMMENTS:

There were no Public Comments.

2. COUNCIL COMMENTS:

There were no Council Comments.

3. APPROVAL OF CONSENT AGENDA:

A. [2017-0948](#) Mayor's Appointments:

Human Relations Commission: Appoint Herman Watson to replace Kelli

Easley, term to expire 7-6-18.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, that Mayor's Appointment be approved as part of the Consent Agenda. The motion carried by a unanimous vote (Councilmember Mosby "Absent").

- B. [2017-0992](#) Appointment of alternate committee member - Finance and Budget Committee

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, that the Appointment of alternate committee member to the Finance and Budget Committee by the Mayor Pro Tempore be approved as part of the Consent Agenda. The motion carried by a unanimous vote (Councilmember Mosby "Absent").

4. **PROPOSED ORDINANCES:**

- A. [BILL NO. 17-41](#) AN ORDINANCE AUTHORIZING THE ACQUISITION OF CONSULTING SERVICES FROM TUSA CONSULTING SERVICES FOR THE PURPOSE OF JOINING THE METROPOLITAN AREA REGIONAL RADIO SYSTEM (MARRS) THROUGH A COOPERATIVE PURCHASING AGREEMENT WITH THE KANSAS CITY REGIONAL PURCHASING COOPERATIVE OF MID AMERICA REGIONAL COUNCIL AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR THE SAME BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that Bill No. 17-41 be adopted and numbered Ord. No. 8095. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Seif

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8095

- B. [BILL NO. 17-42](#) AN ORDINANCE APPROVING THE 2017 USAGE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, THROUGH THE LEE'S SUMMIT PARKS AND RECREATION BOARD AND JACKSON COUNTY PARKS AND RECREATION AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Seif, that Bill No. 17-42 be adopted and numbered Ord. No. 8096. The motion carried by the following vote:

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Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Seif

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8096

- C.** [BILL NO. 17-43](#) AN ORDINANCE APPROVING AMENDMENT NO. 8 TO THE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2017, AS ADOPTED BY ORDINANCE NO. 7894, BY REVISING THE AUTHORIZED BUDGET EXPENDITURES FOR THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 17-43 be adopted and numbered Ord. No. 8097. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Seif

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8097

- D.** [BILL NO. 17-44](#) AN ORDINANCE APPROVING AMENDMENT NO. 9 TO THE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2017, AS ADOPTED BY ORDINANCE NO. 7894, BY REVISING THE AUTHORIZED PAY AND CLASSIFICATION PLAN AND BY REVISING THE AUTHORIZED BUDGET EXPENDITURES OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Seif, that Bill No. 17-44 be adopted and numbered Ord. No. 8098. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Seif

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8098

- E.** [BILL NO. 17-45](#) AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE DOWNTOWN LEE'S SUMMIT COMMUNITY IMPROVEMENT DISTRICT FOR TRASH

REMOVAL, SNOW REMOVAL, LANDSCAPE MAINTENANCE, AND BUDGET REVIEW SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Moreno, seconded by Councilmember Binney, that Bill No. 17-45 be adopted and numbered Ord. No. 8099. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Seif

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8099

5. PRESENTATIONS:

- A. [2017-0960](#) Presentation of the Strategic Planning Framework and Process

This item was moved to the end of the agenda. Due to time, Mayor Rhoads advised the item will be brought forward to a future meeting for full review and discussion. Mr. Arbo provided a short review of the framework and process, which matched goals with existing projects that support the goals. He passed out a document listing source documents and master plans that drive Staff's decision-making process.

Councilmember Seif asked that Mr. Arbo find out how many of the master plans have come through the present Council.

This Presentation was Future Council Consideration.

6. PUBLIC HEARINGS (Sworn):

- A. [2016-0501](#) CONTINUED PUBLIC HEARING - Appl. #PL2016-114 - PRELIMINARY DEVELOPMENT PLAN - approximately 7.11 acres located at the southeast corner of NW Blue Parkway and NW Colbern Road for the proposed Summit Village; Newmark Grubb Zimmer, applicant.

Mayor Rhoads closed the regular session and opened the public hearing at 6:52 p.m. He advised the Council there was a request for continuance on this public hearing.

COUNCIL ACTION: On motion of Councilmember Forte, second by Councilmember Seif, the Council voted unanimously (Councilmember Mosby "Absent") to CONTINUE this Public Hearing to a date certain of March 2, 2017.

- B. [2017-0901](#) PUBLIC HEARING - Appl. #PL2016-217 - PRELIMINARY DEVELOPMENT PLAN - Kansas City Motors, 704 and 708 SE Oldham Court; Kansas City Motors, LLC, applicant.

Mayor Rhoads closed the regular session, opened the public hearing at

6:53 p.m. and asked all those wishing to speak on this issue to be sworn in by the City Clerk.

Mr. Marv McFarlane, owner of Kansas City Motors, was present to discuss the application.

Mr. Hector Soto, Jr., Planning Division Manager, entered Exhibits 1-18 into the record and advised this would be a 4,000 square foot building on a little less than three acres. The primary use will be for motor sales. As shown on the plans, 140 parking spaces will be provided for display and customer and employee parking. Staff recommended approval, subject to three conditions.

Councilmember Moreno asked the applicant to install either a yield sign or a stop sign on his property for traffic accessing the road. Mr. McFarlane voluntarily agreed to this request.

Hearing no further testimony, Mayor Rhoads closed the public hearing at 7:06 p.m. and reconvened the regular session.

COUNCIL ACTION: On motion by Councilmember Carlyle, second by Councilmember Faith, the Council voted 5 "aye", 2 "no" (Councilmembers Binney and Moreno), 1 "absent" (Councilmember Mosby) to direct Staff to PRESENT AN ORDINANCE approving Application #PL2016-217 - PRELIMINARY DEVELOPMENT PLAN - Kansas City Motors, 704 and 708 SE Oldham Court; Kansas City Motors, LLC, applicant, subject to Staff's letter dated January 20, 2017, Items 1-3.

- C. [2017-0900](#) PUBLIC HEARING - Appl. #PL2016-218 - SPECIAL USE PERMIT for automotive sales - Kansas City Motors, 704 and 708 SE Oldham Court; Kansas City Motors, LLC, applicant.

At 7:11 p.m., Mayor Rhoads closed the regular session, opened the public hearing and asked all those wishing to give testimony to be sworn in by the City Clerk.

Mr. Hector Soto, Planning Division Manager, entered Exhibits 1-22 into the record. He advised the applicant was requesting approval for a 20-year special use permit, which was consistent with other permits approved by Council. Staff recommended approval, subject to one condition.

Hearing no further testimony, Mayor Rhoads closed the public hearing and reconvened the regular session at 7:21 p.m.

COUNCIL ACTION: On motion of Councilmember Binney, second by Councilmember Forte, the Council voted 5 "Aye", 2 "No" (Councilmembers Binney and Carlyle), 1 "Absent" (Councilmember Mosby) to direct staff to PRESENT AN ORDINANCE approving Application #PL2016-218 - SPECIAL USE PERMIT for automotive sales - Kansas City Motors, 704 and 708 SE Oldham Court; Kansas City Motors, LLC, applicant, subject to Item #1 and for a period of ten years.

7. OTHER BUSINESS:

- A.** [BILL NO.](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON APPROXIMATELY 7.11 ACRES LOCATED AT THE SOUTHEAST CORNER OF NW BLUE PARKWAY AND NW COLBERN ROAD FOR THE PROPOSED SUMMIT VILLAGE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

This proposed Bill No. 17-46 was continued to the 3/2/2017 City Council meeting.

- B.** [BILL NO.](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 704 AND 708 SE OLDHAM COURT IN DISTRICT CS, PROPOSED KANSAS CITY MOTORS, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

COUNCIL ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 17-47 be adopted and numbered Ord. No. 8100. The motion carried by the following vote:

- Aye:** 7 - Councilmember Binney
 Councilmember Carlyle
 Councilmember Edson
 Councilmember Faith
 Councilmember Forte
 Councilmember Moreno
 Councilmember Seif

- Absent:** 1 - Councilmember Mosby

Enactment No: Ord. No. 8100

- C.** [BILL NO.](#) AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR AUTOMOTIVE SALES, KANSAS CITY MOTORS, IN DISTRICT CS (PLANNED COMMERCIAL SERVICES) ON LAND LOCATED AT 704 AND 708 SE OLDHAM COURT FOR A PERIOD OF TWENTY (20) YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Seif, that Bill No. 17-48 be adopted, with the amendment to a ten-year special use permit, and numbered Ord. No. 8101. The motion carried by the following vote:

- Aye:** 5 - Councilmember Carlyle
 Councilmember Edson
 Councilmember Faith
 Councilmember Forte
 Councilmember Seif

- Nay:** 2 - Councilmember Binney
 Councilmember Moreno

- Absent:** 1 - Councilmember Mosby

Enactment No: Ord. No. 8101

- D. [BILL NO. 17-49](#) AN ORDINANCE APPROVING EXECUTION OF AN ATTESTATION OF FINANCIAL RESPONSIBILITY AND FOR THE REDESIGNATION OF THE CITY MANAGER AS "AUTHORIZED OFFICIAL" PERTAINING TO THE CITY'S STATUS AS A MEDICARE SUPPLIER.

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Faith, that Bill No. 17-49 be adopted and numbered Ord. No. 8102. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Seif

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8102

- E. [2017-0958](#) Conceptual Economic Development Incentive Request/Presentation - Pryor Lakes Mixed-Use Development; Pryor Crossing, LLC, Applicant

Ms. Sandra Watts with the White Goss Law Firm represented the developer. The Council discussed this issue extensively.

COUNCIL ACTION: On motion of Councilmember Seif, second by Councilmember Carlyle, the Council voted unanimously (Councilmember Mosby "absent") to direct the applicant and Staff to continue to prepare the economic development incentive request for formal consideration by the TIF Commission and City Council.

- F. [RES. NO. 17-04](#) A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE APPLICATION TO REQUEST APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE DEVELOPMENT OF PROPERTY LOCATED NORTHWEST OF THE INTERSECTION OF CHIPMAN ROAD AND PRYOR ROAD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Resolution No. 17-04 be adopted. The motion carried by a unanimous vote (Councilmember Mosby "Absent").

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

There were no Committee Reports.

9. **COUNCIL ROUNDTABLE:**

Councilmember Edson and Councilmember Binney discussed three new drop-off boxes that were recently installed around the City. These are for people to drop off unused prescription drugs so the drugs are not thrown away in the trash or down the drain.

Councilmember Binney attended the MML Legislative Conference and encouraged citizens to talk with legislators about municipalities retaining rights-of-way. He also suggested the Council revisit the use tax.

Councilmember Binney mentioned a couple of different health programs, which could be a benefit to the city. Councilmember Seif advised that the Health Education Advisory Board (HEAB) was involved in many of the educational programs and she thought perhaps they could provide a presentation to the Council. The three CPR classes scheduled for this weekend at the Gamber Center are filled up, which demonstrates the level of citizen involvement.

Councilmember Moreno asked if UBER was allowed within Lee's Summit. Chief Forbes stated that UBER is not authorized by current City ordinances; and, the State was reviewing the program. Ms. Beth Murano has been researching the subject and Mr. Arbo will ask her for a high-level presentation.

10. STAFF ROUNDTABLE:

11. 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 Internet site at "www.cityofls.net".

Packet Information

File #: 2017-1000, **Version:** 1

Approval of a name change from Mint Asian Cafe & Sushi to Mint Sushi, located at 1209 NE Rice Road, currently holding a Type G3 Liquor License. Also a corporation name change to Zheng Li Inc.

Issue/Request:

Mint Asian Cafe & Sushi, 1209 NE Rice Road, has changed it's name to Mint Sushi and has a Type G3 liquor license. The corporation name change is Zheng Li Inc. The managing officer/owner remains the same.

Proposed City Council Motion:

I move for approval of this name change and corporation change for Mint Sushi, located at 1209 NE Rice Road, as part of the Consent Agenda.

Background:

A background check has been conducted on the managing officer with no negative information found.

Recommendation:

The Director of Liquor Control recommends approval of the name and corporation changes for Mint Sushi.

Updating LLC

CITY OF LEE'S SUMMIT, MISSOURI
APPLICATION FOR BUSINESS LIQUOR LICENSE

Please mark ("x") which one of the following licenses you will need for a Lee's Summit, Missouri establishment. Sunday licenses are a separate application.

- A1 - Manufacturing, brewing malt liquor (\$300.00)
- A2 - Manufacturing, brewing non-intoxicating beer (\$375.00)
- A3 - Wholesale selling of malt liquor (\$75.00)
- B1 - Manufacturing 22% or less alcohol content intoxicating liquor (\$150.00)
- B2 - Manufacturing, distilling, blending intoxicating liquor of all kinds (\$300.00)
- B3 - Wholesale selling of 22% or less alcohol-content intoxicating liquor (\$150.00)
- B4 - Wholesale selling of intoxicating liquor of all kinds (\$375.00)
- C1 - General retail selling of malt liquors, or wine, or both, by the drink **and** in the original package (\$52.50)
- C2 - Hotel retail selling of malt liquor by the drink and in the original package (\$52.50)
- C3 - Restaurant retail selling of malt liquor by the drink **and** in the original package, **including Sunday sales** (\$75.00)
- D - Retail selling of malt liquor only in the original package, **including Sunday** (22.50)
- G1 - General retail selling of intoxicating liquor of all kinds by the drink **and** in the original package (\$450.00)
- G2 - Hotel retail selling of intoxicating liquor of all kinds by the drink **and** in the original package (\$450.00)
- G3 - Restaurant retail selling of intoxicating liquor of all kinds by the drink **and** in the original package (\$450.00)
- H - Retail selling of intoxicating liquor of all kinds only in the original package (\$150.00);
- I - **Consuming** intoxicating liquor on premises not licensed to sell (C.O.L.) (\$90.00)
- J - Resort retail selling of intoxicating liquor by the drink. (\$450.00)
- S - **Sunday** license (\$300.00)

(Any reference to "Applicant" in this document refers to the Owner/Managing Officer.)

To be completed by applicant as (check one):

Sole Owner & Operator

Corporation

Partnership

LLC

Corporation/LLC Name: ZHENG Li INC

Business Name: Mint Sushi Phone: 816-554-0678

Business Address: 1209 NE Rice Rd Lee's Summit, MO 64086

(I), (We), the undersigned, hereby apply to the City of Lee's Summit, MO, for the following described license:
Type _____ for the premises described above.

Applicant's Name: QING QIANG Li Phone: _____

Home Address: _____

Place of Birth: _____ Date of Birth: _____

Place of Employment (other than business): Mint Asian Cafe & Sushi

Employment Address: Mint Asian Cafe & Sushi Phone: 816-554-0678

1. List all previous addresses, if less than five years at current address: _____

2. Are you a citizen of the United States of America? Yes If naturalized, give date and place of naturalization: _____

3. Will you be the person in active control and/or management (managing officer) of this business full-time? Yes If not, give complete details on the planned management and persons involved.

4. Have you or any person employed by you ever held any type of liquor license issued by the City of Lee's Summit or by the licensing authority of any state, county or city? NO If so, please give details: _____

5. Has any such license listed in question #4 ever been suspended or revoked? NO If so, please give complete details: _____

6. Have you ever made application for a liquor license that was denied by the City of Lee's Summit or by the licensing authority of any state, county or city? NO If so, please give complete details: _____
7. Have you or anyone interested either directly or indirectly in the premises to be licensed hereunder or the operation thereon ever been convicted of a felony? NO If so, please give complete details: _____
8. If not a corporation/LLC, give names and business addresses of employers for the past five years. (If self-employed, state nature of business and location.): _____

9. Is the proposed location within 300 feet of a church or school? NO
10. If existing business, from whom and when was the business purchased? Reinsten
Martin 02/16/2017
 Effective date of possession: 02/16/2017 Name of mortgage holder, if any: _____
11. Will any distiller, wholesaler, wine maker, brewer, or supplier, or coin operated, commercial, manual or mechanical amusement devices or the employees, officers or agents thereof, have any financial interest in the retail business of the applicant for the sale of alcoholic beverages, or "C.O.L.", and will the applicant directly or indirectly borrow or accept from any such persons equipment, money, credit, or property of any kind except ordinary commercial credit for liquor sold? NO If so, please explain: _____
12. Will applicant either directly or indirectly borrow or accept from any person identified in #11 either equipment, money, credit or property of any kind except ordinary commercial credit for liquor sold? NO If so, please explain: _____
13. Will you at all times permit the entry of any officer or investigator who may have legal supervisory authority for the purpose of inspection or search; and will you permit the removal of all things and articles which may be in violation of the ordinances of Lee's Summit, Missouri, and the laws of the

State of Missouri; and do you promise and agree not to violate any of the ordinances of Lee's Summit, Missouri, the laws of the State of Missouri, or the United States in the conduct of the business for which the license is sought? Yes

IF BUSINESS IS OWNED BY A CORPORATION, COMPLETE THIS SECTION:

Name of corporation/LLC: _____

State in which incorporated: _____ Date of incorporation: _____

If not a Missouri corporation/LLC, date authorized to do business in Missouri: _____

Full name, complete residential address, date of birth and Social Security Number of the President, Vice President, Treasurer and Secretary of the corporation (or Members of the LLC: _____

If stock is not publicly held, give names and residential addresses of all stockholders who hold 10% or more of the capital stock: _____

County of Jackson)

ss

State of Missouri)

I, Bing Qiang Li, being of lawful age and duly sworn upon my oath,
(Print Applicant's Name)

do swear that the answers and information given in this application are true and complete to the best of my knowledge and belief.

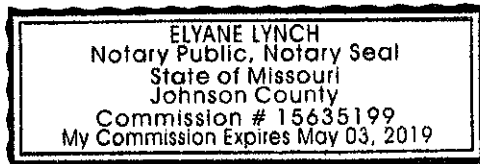
[Signature]

Applicant's Signature

Subscribed and sworn to before me this 16th day of February, 2017

[Signature]
Notary Public

My commission expires: 5-3-19



To Be Provided By Applicant:

1) The Applicant and/or Managing Officer (if different) shall provide:

- a) Recent photograph;
- b) Copy of Missouri voter registration card;
- c) Copy of paid Missouri personal property tax receipt for year immediately preceding date of application
- d) Fingerprints (obtained at the Lee's Summit Police Department, Main Lobby, 10 NE Tudor Rd., Lee's Summit, MO). The Applicant and/or Managing Officer (if different) will be fingerprinted as will all officers, directors and any shareholder holding more than a ten percent (10%) interest in the business.

2) Copy of Business License (contact Treasury Department at 816-969-1139).

3) Copy of Zoning Approval (contact Planning & Development at 816-969-1600).

4) If existing business location:

- a) Copy of lease or mortgage showing Proof of Occupancy.
- b) Recent photographs of the interior and exterior of the premises to be licensed.

5) For newly constructed or remodeled businesses:

- a) Certificate of Occupancy Permit shall be obtained prior to the actual issuance of a city liquor license (contact Codes Administration at 816-969-1200).
- b) Complete description of the plans, specifications, and fixtures of the proposed place of business.

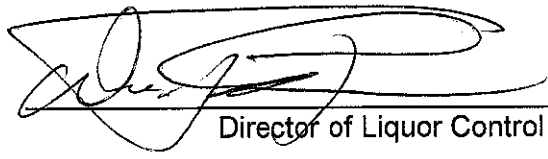
6) Package Liquor Only: Inventory Affidavit, notarized by the applicant, stating the type of business presently engaged in, or in conjunction with, which the license shall be used; **AND** stating that in his place of business the applicant has, and at all times keeps, a stock of goods having an invoice of at least \$1,000, exclusive of fixtures and intoxicating liquors.

7) Appropriate license fee: Make checks and money orders payable to the City of Lee's Summit.

8) Estimated date of opening? open now

For Office Use Only:

It is recommended this application be APPROVED / DISAPPROVED this 21st day of February, 2017.



Director of Liquor Control

City Council Action: Approved Disapproved Date: _____

2/16/2017

Mint Asian cafe & Sushi inc Corporation
name has changed to zheng Li inc. Qing Qiang Li
Remains - the LiQuor License. holder and Owner

Mint Asian cafe & Sushi changer to
Mint Sushi



Packet Information

File #: 2017-0999, **Version:** 1

Approval of upgrade from a Type H License to a Type G1 for Summit Cellar & Spirits, 815 NE Lakewood Boulevard, upgrade from a Type H License to a Type G1. (No change to Sunday and Tasting Licenses)

Issue/Request:

Approval of upgrade from a Type H License to a Type G1 for Summit Cellar & Spirits, 815 NE Lakewood Boulevard, upgrade from a Type H License to a Type G1. (No change to Sunday and Tasting Licenses)

Proposed City Council Motion:

I move for approval of Summit Cellar & Spirits, 815 NE Lakewood Boulevard, upgrade from a Type H License to a Type G1 as part of the Consent Agenda.

Background:

A background check has been done on the managing officer with no negative information found.

Recommendation:

The Director of Liquor Control recommends approval of the upgraded liquor license for Summit Cellar & Spirits.



CITY OF LEE'S SUMMIT, MISSOURI
APPLICATION FOR BUSINESS LIQUOR LICENSE

Please mark ("x") which one of the following licenses you will need for a Lee's Summit, Missouri establishment. Sunday licenses are a separate application.

- A1 - Manufacturing, brewing malt liquor (\$300.00)
- A2 - Manufacturing, brewing non-intoxicating beer (\$375.00)
- A3 - Wholesale selling of malt liquor (\$75.00)
- B1 - Manufacturing 22% or less alcohol content intoxicating liquor (\$150.00)
- B2 - Manufacturing, distilling, blending intoxicating liquor of all kinds (\$300.00)
- B3 - Wholesale selling of 22% or less alcohol-content intoxicating liquor (\$150.00)
- B4 - Wholesale selling of intoxicating liquor of all kinds (\$375.00)
- C1 - General retail selling of malt liquors, or wine, or both, by the drink **and** in the original package (\$52.50)
- C2 - Hotel retail selling of malt liquor by the drink and in the original package (\$52.50)
- C3 - Restaurant retail selling of malt liquor by the drink **and** in the original package, **including Sunday sales** (\$75.00)
- D - Retail selling of malt liquor only in the original package, **including Sunday** (22.50)
- G1** - General retail selling of intoxicating liquor of all kinds by the drink **and** in the original package (\$450.00)
- G2 - Hotel retail selling of intoxicating liquor of all kinds by the drink **and** in the original package (\$450.00)
- G3 - Restaurant retail selling of intoxicating liquor of all kinds by the drink **and** in the original package (\$450.00)
- H - Retail selling of intoxicating liquor of all kinds only in the original package (\$150.00);
- I - **Consuming** intoxicating liquor on premises not licensed to sell (C.O.L.) (\$90.00)
- J - Resort retail selling of intoxicating liquor by the drink. (\$450.00)

- S** - **Sunday** license (\$300.00)

(Any reference to "Applicant" in this document refers to the Owner/Managing Officer.)

To be completed by applicant as (check one):

Sole Owner & Operator Corporation Partnership LLC

Corporation/LLC Name: Summit Liquors LLC

Business Name: Summit Cellar & Spirits Phone: 816-298-3084

Business Address: 815 N.E. Lakewood Blvd Lee's Summit, MO 64064

(I), (We), the undersigned, hereby apply to the City of Lee's Summit, MO, for the following described license:

Type 61 for the premises described above.
05

Applicant's Name: DOMINIC T MOLLOY Phone: _____

Home Address: _____

Place of Birth: _____ Date of Birth: _____

Place of Employment (other than business): 3rd Street Social

Employment Address: Lee's Summit MO Phone: 816-298-3084

1. List all previous addresses, if less than five years at current address: _____
see attached

2. Are you a citizen of the United States of America? Yes If naturalized, give date and place of naturalization: see passport attached

3. Will you be the person in active control and/or management (managing officer) of this business full-time? Yes If not, give complete details on the planned management and persons involved.
Along with P. Andy Leake & Stephen Molloy

4. Have you or any person employed by you ever held any type of liquor license issued by the City of Lee's Summit or by the licensing authority of any state, county or city? Yes If so, please give details: Summit Grill & Bar - KC & LSMO
3rd Street Social - LSMO
Waldo Ramen - KCMO

5. Has any such license listed in question #4 ever been suspended or revoked? NO If so, please give complete details: N/A
-
6. Have you ever made application for a liquor license that was denied by the City of Lee's Summit or by the licensing authority of any state, county or city? NO If so, please give complete details: N/A
-
7. Have you or anyone interested either directly or indirectly in the premises to be licensed hereunder or the operation thereon ever been convicted of a felony? NO If so, please give complete details: N/A
-
8. If not a corporation/LLC, give names and business addresses of employers for the past five years. (If self-employed, state nature of business and location.): N/A
-
9. Is the proposed location within 300 feet of a church or school? NO
10. If existing business, from whom and when was the business purchased? NOT PURCHASED
 Effective date of possession: 1/1. Name of mortgage holder, if any: NONE
-
11. Will any distiller, wholesaler, wine maker, brewer, or supplier, or coin operated, commercial, manual or mechanical amusement devices or the employees, officers or agents thereof, have any financial interest in the retail business of the applicant for the sale of alcoholic beverages, or "C.O.L.", and will the applicant directly or indirectly borrow or accept from any such persons equipment, money, credit, or property of any kind except ordinary commercial credit for liquor sold? NO If so, please explain: N/A
-
12. Will applicant either directly or indirectly borrow or accept from any person identified in #11 either equipment, money, credit or property of any kind except ordinary commercial credit for liquor sold? NO If so, please explain: N/A
-

LS **APPLICATION FOR LIQUOR LICENSE**
TYPE "S" - SUNDAY RETAIL (\$300)

The following is to be completed by the owner or managing officer:

Sole Owner & Operator LLC Corporation Partnership

Applicant's Name: Danahall Moller for Summit Liquors LLC

Business Name: Summit Cellar & Spirits Phone: 816-298-3089

Business Address: 815 N.E. Lakeswood Blvd Lee's Summit, MO 64064

I, the undersigned, hereby make application to the City of Lee's Summit, Missouri, for a Type "S" liquor license in accordance with Chapter 4, "Alcoholic Beverages" Ordinance of the City of Lee's Summit, Missouri.

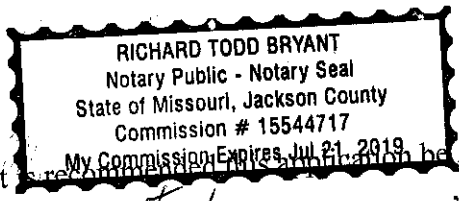
County of Jackson)
 State of Missouri)

ss

I, (please print) Danahall Moller, being of lawful age and duly sworn upon my oath, do swear that the answers and information given in this application are true and complete to the best of my knowledge and belief.

[Signature]
 Applicant's Signature

Subscribed and sworn to before me this 2nd day of February 2017
 My commission expires: _____



[Signature]
 Notary Public

It is hereby APPROVED / DISAPPROVED this 21st day of February, 2017.

[Signature]
 Director of Liquor Control

City Council Action: Approved Disapproved Date: _____

Packet Information

File #: 2017-1004, **Version:** 1

Approval of Type H & S Liquor License for Libations & Company, 23 SE 3rd Street.

Issue/Request:

Approval of Type H & S Liquor License for Libations & Company, 23 SE 3rd Street.

Proposed City Council Motion:

I move for approval of Type H & S Liquor License for Libations & Company, 23 SE 3rd Street as part of the Consent Agenda.

Background:

A background check was conducted on the managing officer/owner with no negative information found.

Staff Recommendation:

The Director of Liquor Control recommends approval of the Type H & S license for Libations & Company.



CITY OF LEE'S SUMMIT, MISSOURI APPLICATION FOR BUSINESS LIQUOR LICENSE

Please mark ("X") which one of the following licenses you will need for a Lee's Summit, Missouri establishment. Sunday licenses are a separate application.

- A1 - Manufacturing, brewing malt liquor (\$300.00)
A2 - Manufacturing, brewing non-intoxicating beer (\$375.00)
A3 - Wholesale selling of malt liquor (\$75.00)
B1 - Manufacturing 22% or less alcohol content intoxicating liquor (\$150.00)
B2 - Manufacturing, distilling, blending intoxicating liquor of all kinds (\$300.00)
B3 - Wholesale selling of 22% or less alcohol-content intoxicating liquor (\$150.00)
B4 - Wholesale selling of intoxicating liquor of all kinds (\$375.00)
C1 - General retail selling of malt liquors, or wine, or both, by the drink and in the original package (\$52.50)
C2 - Hotel retail selling of malt liquor by the drink and in the original package (\$52.50)
C3 - Restaurant retail selling of malt liquor by the drink and in the original package, including Sunday sales (\$75.00)
D - Retail selling of malt liquor only in the original package, including Sunday (22.50)
G1 - General retail selling of intoxicating liquor of all kinds by the drink and in the original package (\$450.00)
G2 - Hotel retail selling of intoxicating liquor of all kinds by the drink and in the original package (\$450.00)
G3 - Restaurant retail selling of intoxicating liquor of all kinds by the drink and in the original package (\$450.00)
H - Retail selling of intoxicating liquor of all kinds only in the original package (\$150.00);
I - Consuming intoxicating liquor on premises not licensed to sell (C.O.L.) (\$90.00)
J - Resort retail selling of intoxicating liquor by the drink. (\$450.00)
S - Sunday license (\$300.00)

(Any reference to "Applicant" in this document refers to the Owner/Managing Officer.)

To be completed by applicant as (check one):

Sole Owner & Operator

Corporation

Partnership

LLC

Corporation/LLC Name: LIBATIONS, LLC.

Business Name: LIBATIONS & COMPANY

Phone: 816-729-1563

Business Address: 23 SE 3rd St.

Lee's Summit, MO

(I), (We), the undersigned, hereby apply to the City of Lee's Summit, MO, for the following described license:
Type H, S for the premises described above.

Applicant's Name: SETH C. ALLEN

Phone: _____

Home Address: _____

Place of Birth: _____

Date of Birth: _____

Place of Employment (other than business): N/A

Employment Address: 23 SE 3rd St.

Phone: 816-729-1563

1. List all previous addresses, if less than five years at current address: _____

2. Are you a citizen of the United States of America? YES If naturalized, give date and place of naturalization: _____

3. Will you be the person in active control and/or management (managing officer) of this business full-time? YES. If not, give complete details on the planned management and persons involved.

4. Have you or any person employed by you ever held any type of liquor license issued by the City of Lee's Summit or by the licensing authority of any state, county or city? No If so, please give details: _____

5. Has any such license listed in question #4 ever been suspended or revoked? N/A If so, please give complete details: _____

6. Have you ever made application for a liquor license that was denied by the City of Lee's Summit or by the licensing authority of any state, county or city? NO If so, please give complete details: _____

7. Have you or anyone interested either directly or indirectly in the premises to be licensed hereunder or the operation thereon ever been convicted of a felony? NO If so, please give complete details: _____

8. If not a corporation/LLC, give names and business addresses of employers for the past five years. (If self-employed, state nature of business and location.): N/A _____

9. Is the proposed location within 300 feet of a church or school? NO _____
10. If existing business, from whom and when was the business purchased? N/A _____
Effective date of possession: _____ Name of mortgage holder, if any: _____

11. Will any distiller, wholesaler, wine maker, brewer, or supplier, or coin operated, commercial, manual or mechanical amusement devices or the employees, officers or agents thereof, have any financial interest in the retail business of the applicant for the sale of alcoholic beverages, or "C.O.L.", and will the applicant directly or indirectly borrow or accept from any such persons equipment, money, credit, or property of any kind except ordinary commercial credit for liquor sold? NO If so, please explain: _____

12. Will applicant either directly or indirectly borrow or accept from any person identified in #11 either equipment, money, credit or property of any kind except ordinary commercial credit for liquor sold? N/A If so, please explain: _____

13. Will you at all times permit the entry of any officer or investigator who may have legal supervisory authority for the purpose of inspection or search; and will you permit the removal of all things and articles which may be in violation of the ordinances of Lee's Summit, Missouri, and the laws of the

To Be Provided By Applicant:

1) The Applicant and/or Managing Officer (if different) shall provide:

- a) Recent photograph;
- b) Copy of Missouri voter registration card;
- c) Copy of paid Missouri personal property tax receipt for year immediately preceding date of application
- d) Fingerprints (obtained at the Lee's Summit Police Department, Main Lobby, 10 NE Tudor Rd., Lee's Summit, MO). The Applicant and/or Managing Officer (if different) will be fingerprinted as will all officers, directors and any shareholder holding more than a ten percent (10%) interest in the business.

2) Copy of Business License (contact Treasury Department at 816-969-1139).

3) Copy of Zoning Approval (contact Planning & Development at 816-969-1600).

4) If existing business location:

- a) Copy of lease or mortgage showing Proof of Occupancy.
- b) Recent photographs of the interior and exterior of the premises to be licensed.

5) For newly constructed or remodeled businesses:

- a) Certificate of Occupancy Permit shall be obtained prior to the actual issuance of a city liquor license (contact Codes Administration at 816-969-1200).
- b) Complete description of the plans, specifications, and fixtures of the proposed place of business.

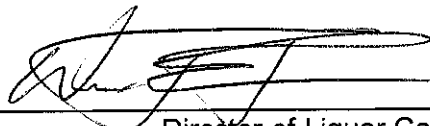
6) Package Liquor Only: Inventory Affidavit, notarized by the applicant, stating the type of business presently engaged in, or in conjunction with, which the license shall be used; **AND** stating that in his place of business the applicant has, and at all times keeps, a stock of goods having an invoice of at least \$1,000, exclusive of fixtures and intoxicating liquors.

7) Appropriate license fee: Make checks and money orders payable to the City of Lee's Summit.

8) Estimated date of opening? APRIL 15th 2017

For Office Use Only:

It is recommended this application be APPROVED / DISAPPROVED this 23rd day of February, 2017.



Director of Liquor Control

City Council Action: Approved Disapproved Date: _____

State of Missouri; and do you promise and agree not to violate any of the ordinances of Lee's Summit, Missouri, the laws of the State of Missouri, or the United States in the conduct of the business for which the license is sought? YES

IF BUSINESS IS OWNED BY A CORPORATION, COMPLETE THIS SECTION:

Name of corporation/LLC: LIBATIONS, LLC.

State in which incorporated: MISSOURI Date of incorporation: FEBRUARY 2017

If not a Missouri corporation/LLC, date authorized to do business in Missouri: _____

Full name, complete residential address, date of birth and Social Security Number of the President, Vice President, Treasurer and Secretary of the corporation (or Members of the LLC: SETH CHRISTOPHER ALLEN

If stock is not publicly held, give names and residential addresses of all stockholders who hold 10% or more of the capital stock: N/A

County of Jackson)

ss

State of Missouri)

I, SETH CHRISTOPHER ALLEN, being of lawful age and duly sworn upon my oath,
(Print Applicant's Name)

do swear that the answers and information given in this application are true and complete to the best of my knowledge and belief.

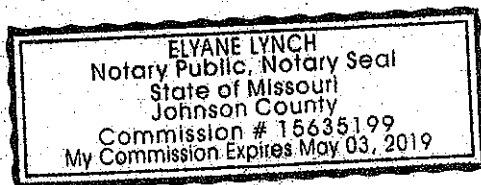
Seth Allen

Applicant's Signature

Subscribed and sworn to before me this 21st day of February, 2017

Elyane Lynch
Notary Public

My commission expires: 5-3-19





APPLICATION FOR LIQUOR LICENSE
TYPE "S" - SUNDAY RETAIL (\$300)

The following is to be completed by the owner or managing officer:

Sole Owner & Operator [checked] Corporation [] Partnership []

Applicant's Name: SETH C. ALLEN

Business Name: LIBATIONS, LLC. Phone: 816-729-1563

Business Address: 23 SE 3rd St. LSMO Lee's Summit, MO

I, the undersigned, hereby make application to the City of Lee's Summit, Missouri, for a Type "S" liquor license in accordance with Chapter 4, "Alcoholic Beverages" Ordinance of the City of Lee's Summit, Missouri.

County of Jackson)

SS

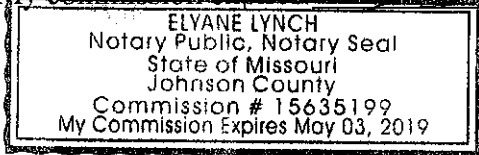
State of Missouri)

I, (please print) SETH C. ALLEN, being of lawful age and duly sworn upon my oath, do swear that the answers and information given in this application are true and complete to the best of my knowledge and belief.

Seth Allen

Applicant's Signature

Subscribed and sworn to before me this 21st day of February 2017
My commission expires: 5-2-19



Elyane Lynch
Notary Public

It is recommended this application be APPROVED / DISAPPROVED this 27th day of February, 2017.

[Signature]
Director of Liquor Control

City Council Action: [] Approved [] Disapproved Date: _____

Packet Information

File #: RES. NO. 17-05, **Version:** 1

A RESOLUTION IN SUPPORT OF THE LEE'S SUMMIT POLICE DEPARTMENT'S APPLICATION FOR GRANT FUNDING IN THE MISSOURI HIGHWAY SAFETY PROGRAM FOR TRAFFIC ENFORCEMENT.

Issue/Request:

A RESOLUTION IN SUPPORT OF THE LEE'S SUMMIT POLICE DEPARTMENT'S APPLICATION FOR GRANT FUNDING IN THE MISSOURI HIGHWAY SAFETY PROGRAM FOR TRAFFIC ENFORCEMENT.

Key Issues:

This is a resolution in support of the Lee's Summit Police Department's grant application to the Missouri Department of Transportation (MoDOT). As part of the grant application, the MoDOT requests that the City of Lee's Summit agree to participate in the Missouri Highway Safety Program for traffic enforcement and direct the Chief of Police to implement any grant funded projects of the program in an effort to reduce the number and severity of traffic crashes, fatalities, and injuries occurring on Lee's Summit roadways.

Proposed City Council Motion:

I move for approval of proposed resolution in support of the Lee's Summit Police Department's application for grant funding in the Missouri Highway Safety Program for traffic enforcement.

Background:

For the last 20 years the Lee's Summit Police Department has worked with the Missouri Department of Public Safety (DPS) on the DPS highway safety campaigns. Some of the past campaigns have included:

- Click it or Ticket
- You Drink, You Drive, You Lose
- Operation Safe Teen
- Hazardous moving enforcement
- DWI enforcement/check points
- Aggressive driver enforcement

Grants through MoDOT have funded these past initiatives.

The Lee's Summit Police Department is applying for continued grant funding from MoDOT's Highway Safety Program for traffic enforcement in the amount of \$115,229.60 for the upcoming 2017-2018 grant year. The grant funding will pay for overtime, training, and equipment to execute a hazardous moving violation project and a DWI enforcement project. The passage of this resolution will demonstrate support for the grant application and authorize the police department to implement the above listed projects upon receipt of the grant awards.

Impact/Analysis:

[Enter text here]

Timeline:

Start: October 1, 2017

Finish: September 30, 2018

Other Information/Unique Characteristics:

[Enter text here]

Presenter: [Enter Presenter Here]

Recommendation: Staff recommends support for the resolution.

Committee Recommendation:

RESOLUTION 17-05

A RESOLUTION IN SUPPORT OF THE LEE'S SUMMIT POLICE DEPARTMENT'S APPLICATION FOR GRANT FUNDING IN THE MISSOURI HIGHWAY SAFETY PROGRAM FOR TRAFFIC ENFORCEMENT.

WHEREAS, for over twenty years (20) years, the Missouri Highway Safety Program has offered grants to cities and counties in Missouri to reduce the number and severity of traffic crashes occurring on Missouri roadways and reduce traffic fatalities and injuries; and,

WHEREAS, the Lee's Summit Police Department has applied for a grant by the Missouri Department of Transportation, Traffic and Highway Safety Division in the amount of \$63,729.60 to participate in a Hazardous Moving Violation project; and,

WHEREAS, the Lee's Summit Police Department has applied for a grant by the Missouri Department of Transportation, Traffic and Highway Safety Division in the amount of \$51,500 to participate in a Driving While Under the Influence (DWI) Enforcement and Sobriety Checkpoints project; and,

WHEREAS, The Lee's Summit Police Department has plans to implement the above listed projects within the city upon an award of the grant funding.

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

SECTION 1. That the City of Lee's Summit hereby supports the Lee's Summit Police Departments application for grant funding in the Missouri Highway Safety Program for Traffic Enforcement.

SECTION 2. That, upon an award of grant funding, the City of Lee's Summit hereby agrees to participate in the Missouri Highway Safety Program.

SECTION 3. That the City of Lee's Summit hereby directs the Chief of Police to implement the grant funded projects in an effort to reduce the number and severity of traffic crashes, fatalities, and injuries occurring on the roadways of Lee's Summit.

SECTION 4. That the Chief of Police will investigate the financial assistance available under the Missouri Highway Safety Program for Traffic Enforcement and report back to the Council his recommendations.

SECTION 5. If and when funding through the Highway Safety Division is no longer available, the City of Lee's Summit agrees to make a dedicated attempt to continue support for this traffic safety effort.

SECTION 6. This resolution shall be in full force and effect from the date of its approval.

PASSED and ADOPTED by the City Council for the City of Lee's Summit, Missouri, this ____ day of _____, 2017.

Mayor *Randall L. Rhoads*

RESOLUTION 17-05

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

Chief Counsel of Public Safety *Beth Murano*



Traffic and Highway Safety Division
P.O. Box 270
Jefferson City, MO 65102
1-800-800-2358 or 573-751-4161

CITY COUNCIL AUTHORIZATION

On _____, 20__ the Council of _____
_____ held a meeting and discussed the City's participation
in Missouri's Highway Safety Program.

It is agreed by the Council that the City of _____
will participate in Missouri's Highway Safety Program.

It is further agreed by the Council that the Chief of Police will investigate the
financial assistance available under the Missouri Highway Safety Program for
Traffic Enforcement and report back to the Council his/her recommendations.
When funding through the Highway Safety Division is no longer available, the
local government entity agrees to make a dedicated attempt to continue support
for this traffic safety effort.

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Mayor

Packet Information

File #: 2016-0501, **Version:** 1

CONTINUED PUBLIC HEARING - Appl. #PL2016-114 - PRELIMINARY DEVELOPMENT PLAN - approximately 7.11 acres located at the southeast corner of NW Blue Parkway and NW Colbern Road for the proposed Summit Village; Newmark Grubb Zimmer, applicant.

Issue/Request:

This preliminary development plan application is for the proposed Summit Village development located on land that was annexed into the city in 2011. The subject preliminary development plan covers two lots on 7.11 acres that yield a total building area of 38,500 square feet. The project is proposed to be completed in multiple phases. Phase I is composed of Lot 1, which contains an 18,500 sq. ft. eye care and surgery center that has its own phasing option for construction. Construction of the 18,500 square foot building may be divided into a 6,500 sq. ft. Phase IA and a 12,000 sq. ft. Phase IB. Phase II is composed of Lot 2, which contains two office/retail buildings that will be 10,000 square feet each. The proposed building elevations incorporate a significant amount of brick, block and stucco, plus the use of an architectural metal panel system to accentuate the entrances to the buildings on Lot 2.

A conceptual master plan for the surrounding 61 acres has also been submitted to illustrate how the subject 7 -acre development ties into and relates to the long-term vision for the area. The conceptual master plan consists of 17 additional office/commercial use buildings totaling approximately 542,500 sq. ft. The future development of the area under the conceptual master plan will require separate preliminary development plan approval as additional phases of the development are implemented.

The applicant requests modifications to the high impact screening along the eastern property line of Lot 2. Staff supports the requested modification.

- 2 lots and 1 common area tract on 7.11 acres
- 55% proposed overall impervious coverage - 80% maximum allowed impervious coverage
- 45% proposed overall open area - 20% minimum required open area
- 0.15 proposed overall FAR - 0.55 maximum allowed FAR
- 193 parking spaces required - 203 parking spaces provided

Proposed City Council Motion:

I move to direct staff to present an ordinance approving Application #PL2016-114 - PRELIMINARY DEVELOPMENT PLAN - approximately 7.11 acres located at the southeast corner of NW Blue Pkwy and NW Colbern Road for the proposed Summit Village; Newmark Grubb Zimmer, applicant.

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

1. A modification shall be granted to the required 20 foot wide high-impact landscape screen between the

proposed site and the adjacent apartment development to the east of Lot 2, to allow medium impact landscape screening within a 10 foot wide buffer yard, plus a 6' vinyl fence with masonry piers along a portion the eastern property line of Lot 2 as requested.

2. Development shall be in accordance with the preliminary development plan, date stamped December 6, 2016.
3. Approval of the preliminary development plan is only for Lots 1 & 2. Development of the conceptual master plan outside of Lots 1 & 2 shall require preliminary development plan approval under separate application.

Committee Recommendation: On motion of Mr. DeMoro and seconded by Mr. Lopez, the Planning Commission on January 10, 2017, voted three "yes" (Mr. DeMoro, Mr. Lopez and Mr. Gustafson) and three "no" (Mr. Norbury, Ms. Roberts and Mr. Funk) by voice vote to **APPROVE Appl. #PL2016-114 - PRELIMINARY DEVELOPMENT PLAN** - Summit Village, approximately 7 acres located at the southeast corner of NW Colbern Rd and NW Blue Pkwy; Unity Realty, LLC, applicant, subject to staff's letter, dated January 6, 2017, recommendation items 1-3.

LEE'S SUMMIT PLANNING COMMISSION

Minutes of Tuesday, January 10, 2017

The Tuesday, January 10, 2017, Lee's Summit Planning Commission meeting was called to order by Chairperson Norbury at 5:00 p.m., at City Council Chambers, 220 SE Green Street, Lee's Summit, Missouri.

OPENING ROLL CALL:

Chairperson Jason Norbury	Present	Mr. Herman Watson	Absent
Mr. Fred Delibero	Absent	Mr. Beto Lopez	Present
Mr. Donnie Funk	Present	Ms. Colene Roberts	Present
Mr. Fred DeMoro	Present	Mr. Brandon Rader	Absent
Mr. Don Gustafson	Present		

Also present were: Hector Soto, Jr., Planning Division Manager; Jennifer Thompson, Staff Planner; Ryan Elam, Director of Development Center; Dawn Bell, Project Manager; Robert McKay, Director of Planning and Special Projects; Heping Zhan, Assistant Director of Planning Services; Kent Monter, Development Engineering Manager; Michael Park, City Traffic Engineer; Nancy Yendes, Law; Jeanne Nixon, Secretary; Joe Dir, Battalion Chief, and Jim Eden, Assistant Fire Chief II.

1. APPROVAL OF CONSENT AGENDA

- A. **Application #PL2016-202 - VACATION OF EASEMENT** - 1710 NE Ozark Dr.; Trent & Christy Yager, applicant
- B. **Minutes** of the December 13, 2016, Planning Commission meeting

On the motion of Ms. Roberts, seconded by Mr. Gustafson, the Planning Commission voted unanimously by voice vote to **APPROVE** the Consent Agenda, Item 1A-B as published.

APPROVAL OF AGENDA:

Chairperson Norbury announced that there were no changes to the agenda, and asked for a motion to approve. On the motion of Ms. Roberts, seconded by Mr. Gustafson, the Planning Commission voted unanimously by voice vote to **APPROVE** the agenda as published.

- ### 2. Continued Application #PL2016-114 - PRELIMINARY DEVELOPMENT PLAN - approximately 7.11 acres located at the southeast corner of NW Blue Pkwy. and NW Colbern Rd. for the proposed Summit Village; Newmark Grubb Zimmer, applicant

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

Mr. Michael VanBuskirk, with the law firm of Newmark Grubb Zimmer, gave his business address as 1220 Washington in Kansas City (MO). This project was 'Phase 1A' of the Summit Village development. The applicants were doing this project with and on behalf of Unity Village via Unity Reality. They had worked out some issues concerning financing and construction costs with staff over the past few months. The main building would be for the Summit Eye Clinic. Also present at the meeting, and available for questions, was Mr. Paul Osbourne, the project's civil engineer from Lutjen Associates, which was the applicant's partner on the Unity Village property.

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

Mr. Soto entered Exhibit (A), list of exhibits 1-16 into the record. He displayed a conceptual master plan, noting that the property was annexed to the City in 2011 and that the application tonight was for a preliminary development plan. The conceptual master plan was to provide an overview of how the property could be developed. Lot 1, directly southeast of the Colbern Road/Blue Parkway intersection and indicated in gray, showed how the first phase could be divided into two smaller phases. It was the site of the proposed eye care/surgery center building, about 18,500 square feet. This could be subdivided into a 6,500 square foot first phase and the remaining 12,000 square feet after that. Two 10,000 square foot spec buildings could go in north of this lot, with frontage along Colbern. However, the preliminary development plan in this application was only for the area shaded on the plan; and development outside it would require a separate application and hearings. The plan was consistent with the overall vision for the property. There was a gap between those two structures, and that was where the applicant wanted to use the fence required by the UDO. They wanted to use those existing structures to serve as buffers, supplementing that with some medium-impact buffer landscaping.

The application included one modification request. The Unity Villa Apartments, on Colbern Road, was adjacent to the Phase One lot on the east. This was potentially a commercial use adjacent to multi-family residential and would need a high-impact buffer. That would be a six-foot vinyl fence with masonry piers, with a 20-foot landscape buffer. The applicants were requesting a 10-foot buffer instead, with more trees and shrubs. It would essentially be medium-impact instead of high-impact landscaping. Along the development project's west property line was a two-story apartment building plus a long carport structure along the lower half of the frontage. Staff supported this modification request, as the existing structure plus the fencing and landscaping would meet the intent to provide a significant barrier between the uses. Staff recommended approval of the application subject to Recommendation Items 1 through 3.

Following Mr. Soto's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. As there were none, he then opened the hearing for questions for the applicant or staff.

Chairperson Norbury asked for some clarification as to where the buffer was in relation to other elements on the property. Marking the area on the displayed map, Mr. Soto stated that the ordinance required a buffer along that stretch. He marked the places where the fence would begin and end, and pointed out the locations of the buildings. Chairperson Norbury noted the testimony that a carport was on the south end of the lot; and said that the north corner was his specific concern. He asked if the existing apartment building at that point had ground floor apartments, and Mr. Soto replied that it did. They were oriented so that one side faced the

development and the entrances faced north and south; although these units did have a few windows facing the development.

Chairperson Norbury remarked that he would prefer a fence for the whole length of the boundary line; but at any rate, the buffer was intended to separate two different uses. Buffering between two parking lots would not be much of an issue, and the carport would be equivalent to that. However, this situation would be an area where people lived directly adjacent to a commercial use; and he preferred that the fence be longer, preferably extending to the north property line. Mr. Soto suggested it go to a point parallel to the building's northernmost face, and Chairperson Norbury said that was a possibility.

Chairperson Norbury also had some questions concerning the architecture. He asked Mr. VanBuskirk what was the property to the north across Colbern, and Mr. VanBuskirk answered that it was main campus of Unity Village. Chairperson Norbury stated that this was a landmark piece of property in Lee's Summit, and included the tower and some very distinctive buildings. The campus had a unique style; and he was extremely disappointed to see so little reflection of that significance or style in the proposed architecture. Unity Village's architecture had some vertical elements in the tower, arches in the other buildings, and Mediterranean tile roofs as a consistent element. Everything he had seen on the elevations emphasized horizontal elements and had metal roofs. While he would not expect a 21st century office park to have the same early 20th century design as its neighbor, the designs could certainly do better in being consistent with the surroundings. Tonight's application was for the first building, which would tend to set a precedent for the rest of the development.

Mr. VanBuskirk stated that the architect, Mr. Guy Gronberg, was not able to be present; however, the applicants had made a conscious effort to not make anything in the development look like Unity Village. Unity's governing board had wanted the separation of this development from Unity Village to be clear. They intended to put private covenants and restrictions in place since this would be at the front door of the Unity campus. He added that Newmark Grubb Zimmer's other office parks had been done under covenants and restrictions but each architect had made their own decisions so these were not 'cookie cutter' architectural designs.

Ms. Roberts remarked that she did not think the designs should mimic Unity's look in the way that Hazelgrove Elementary school did. Mr. VanBuskirk noted that this building had actually been a Unity school that was donated to the school district. However, she was not entirely at ease with how stark the contrast was. The renderings she had seen suggested that these buildings would look downright unattractive compared with what was visible across the road. She did like them all being oriented toward the street, with parking behind, which ensured that people approaching via the roundabout would see the buildings first, not a parking lot; although the corner building in particular was not attractive visually. Mr. VanBuskirk suggested that she make the comparison to the medical office building immediately to the south. It looked very similar and was the prairie style of architecture. Due to the building's use, they did have some specific requirements especially concerning windows. The overall concept plan did emphasize the buildings being visible and noticeable from the street.

Ms. Roberts summarized that she would like to see something with a little less extreme contrast to what was visible on Colbern across the street; especially in view of this being a historically notable site. To go the such an opposite extreme in appearance, with such sharp edges, did not look to her to have a potential for being visually appealing and in that setting had the

potential to look cheap. She also had a general concern about the site having too much parking, although they were probably over the requirement by about 10 spaces. Mr. Soto answered that parking could be phased in as needed. It had to be planned for enough parking spaces at full build out. It could be scaled out in the initial phases.

Chairperson Norbury agreed that a few design elements used at Unity could help with a visual transition without any of the newer buildings looking like imitations. He wanted to see some alternate approaches, noting that the City Council might have some of the same questions and concerns. In terms of visual reaction, people at the intersection of Blue Parkway and Colbern were likely to look at the surroundings as a unit; and not likely to think in terms of architecture to the south. He respected the Unity board's desire to keep a clear distinction but that would not preclude some kind of visual transition. Ms. Roberts remarked that the New Longview development had taken that approach, making no effort to duplicate the Longview mansion. She was concerned that the contrast between the two properties could easily create an eyesore, and wanted to see something more complementary with the older architecture across the road. Mr. VanBuskirk replied that he would bring this input back to Mr. Gronberg, and consult with staff and the Unity board.

Concerning the parking, Mr. VanBuskirk explained that they had used 6 spaces per 1,000 square feet for the general office use. Concerning screening for the apartments, he added that the deannexation of the property had not included the apartments, so they were closely tied to Unity Village. The applicant had preferred screening with landscaping, since they would prefer their office tenants looking at the landscaping rather than at a vinyl fence. That was the reason for requesting the modification.

Mr. DeMoro asked if the applicant had held meetings with the apartment tenants, and Mr. VanBuskirk replied that they had not, since the residents were not citizens of Lee's Summit. There had been a number of meetings during the deannexation process, and the majority of the tenants had not wanted to be a part of Lee's Summit. No one had wanted the matter to come to a public vote, so the apartments were parceled out. They were sensitive to the opinions of the apartment residents, especially since many of them were Unity Village employees.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:30 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. DeMoro remarked that Mr. VanBuskirk was giving a workable approach to the concerns about design in offering to pass the Commission's input on to the architect and to the board of Unity Village.

Mr. DeMoro made a motion to recommend approval of continued Application PL2016-114, Preliminary Development Plan: approximately 7.11 acres located at the southeast corner of NW Blue Pkwy. and NW Colbern Rd. for the proposed Summit Village; Newmark Grubb Zimmer, applicant; subject to staff's letter of January 6, 2017, specifically Recommendation Items 1 through 3. Mr. Lopez seconded.

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

On the motion of Mr. DeMoro, seconded by Mr. Lopez, the Planning Commission members voted by roll call vote of three “yes” (Mr. DeMoro, Mr. Lopez, Mr. Gustafson) and three “no” (Chairperson Norbury, Ms. Roberts, Mr. Funk) to recommend **APPROVAL** of continued Application PL2016-114, Preliminary Development Plan: approximately 7.11 acres located at the southeast corner of NW Blue Pkwy. and NW Colbern Rd. for the proposed Summit Village; Newmark Grubb Zimmer, applicant; subject to staff’s letter of January 6, 2017, specifically Recommendation Items 1 through 3.

Ms. Heanue confirmed that since the vote was tied, the matter would go to the City Council. She added that the Legal Department had confirmed the title of the applicant in the motion, since the agenda had given something different.

Chairperson Norbury stated for the record that he had not been expressing disapproval of the project’s concept in requesting the changes.

(The foregoing is a digest of the secretary’s notes of the public hearing. The transcript may be obtained.)

<p>3. Continued Application #PL2016-184 - SPECIAL USE PERMIT renewal for outdoor storage of temporary storage containers - Walmart, 1000 NE Sam Walton Lane; Walmart Real Estate Business Trust, applicant</p>

Chairperson Norbury opened the hearing at 5:33 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Ms. Callie Butts stated that she was a co-manager at the Walmart retail store at 1000 NE Sam Walton Lane in Lee’s Summit. They were requesting renewal of the ten-year Special Use Permit that allowed the use of the temporary storage containers during the entire month of December. They also wanted to expand the time period for holiday season storage to 12 weeks: from October 1st through December 31st. The containers were used for overflow inventory for holiday sales.

Chairperson Norbury noted that staff’s letter included four Recommendation Items and asked Ms. Butts if the applicant agreed with these, and Ms. Butts answered that they did.

Following Ms. Butts’ presentation, Chairperson Norbury asked for staff comments.

Mr. Soto entered Exhibit (A), list of exhibits 1-15 into the record. He stated that the requested SUP renewal would be the second one, as it had been originally approved in October of 1996. The proposed location of the storage containers, along the west (back) side of the store, were shown on the displayed site plan in yellow. A solid masonry fence spanned the entire Independence Avenue frontage, from Tudor Road to the back driveway, on that side. That part of the property also sat below the roadway. The containers were only used during the holiday period, from the first of October through the end of the year. Temporary storage containers needed for projects like remodeling were allowed by the ordinance. The request was for an additional ten years, and up to 25 containers.

PL#2016-114 -PRELIMINARY DEVELOPMENT PLAN SUMMIT VILLAGE NEWMARK GRUBB ZIMER, APPLICANT




City of Lee's Summit

Development Services Department

January 6, 2017

TO: Planning Commission

FROM: Robert G. McKay, AICP, Director of Planning and Special Projects 

RE: **Continued PUBLIC HEARING – Appl. #PL2016-114 – PRELIMINARY DEVELOPMENT PLAN – approximately 7.11 acres located at the southeast corner of NW Blue Pkwy and NW Colbern Rd for the proposed Summit Village; Newmark Grubb Zimmer, applicant**

Commentary

This preliminary development plan application is for the proposed Summit Village development located on land that was annexed into the city in 2011. The subject preliminary development plan covers two lots on 7.11 acres that yield a total building area of 38,500 square feet. The project is proposed to be completed in multiple phases. Phase I is composed of Lot 1, which contains an 18,500 sq. ft. eye care and surgery center that has its own phasing option for construction. Construction of the 18,500 square foot building may be divided into a 6,500 sq. ft. Phase IA and a 12,000 sq. ft. Phase IB. Phase II is composed of Lot 2, which contains two office/retail buildings that will be 10,000 square feet each. The proposed building elevations incorporate a significant amount of brick, block and stucco, plus the use of an architectural metal panel system to accentuate the entrances to the buildings on Lot 2.

A conceptual master plan for the surrounding 61 acres has also been submitted to illustrate how the subject 7-acre development ties into and relates to the long-term vision for the area. The conceptual master plan consists of 17 additional office/commercial use buildings totaling approximately 542,500 sq. ft. The future development of the area under the conceptual master plan will require separate preliminary development plan approval as additional phases of the development are implemented.

The applicant requests modifications to the high impact screening along the eastern property line of Lot 2. Staff supports the requested modification.

- 2 lots and 1 common area tract on 7.11 acres
- 55% proposed overall impervious coverage – 80% maximum allowed impervious coverage
- 45% proposed overall open area – 20% minimum required open area
- 0.15 proposed overall FAR – 0.55 maximum allowed FAR
- 193 parking spaces required – 203 parking spaces provided

Recommendation

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

1. A modification shall be granted to the required 20 foot wide high-impact landscape screen between the proposed site and the adjacent apartment development to the east of Lot 2, to allow medium impact landscape screening within a 10 foot wide buffer yard, plus a 6' vinyl fence with masonry piers along a portion the eastern property line of Lot 2 as requested.
2. Development shall be in accordance with the preliminary development plan, date stamped December 6, 2016.

3. Approval of the preliminary development plan is only for Lots 1 & 2. Development of the conceptual master plan outside of Lots 1 & 2 shall require preliminary development plan approval under separate application.

Project Information

Proposed Use: office/retail

Current Zoning: PMIX (Planned Mixed Use)

Proposed Zoning: PMIX (Planned Mixed Use)

Land Area: 135,036 sq. ft. (3.10 acres) – Lot 1
114,127 sq. ft. (2.62 acres) – Lot 2
22,651 sq. ft. (0.52 acres) – Tract A
309,501 total square feet (7.11 acres)

Building Area: 6,500 sq. ft. – eye care and surgery center (Lot 1 – Phase IA)
12,000 sq. ft. – eye care and surgery center (Lot 1 – Phase IB)
20,000 sq. ft. – office/retail (Lot 2 – Phase II)
38,500 total sq. ft.

Number of Lots: 2 lots and 1 common area tract

Location: SE corner of NW Blue Pkwy and NW Colbern Road

Surrounding zoning and use:

North (across NW Colbern Road): Unity Village—located outside city limits

South: PMIX—vacant property owned by Unity Reality, LLC

East: PMIX—vacant property owned by Unity Reality, LLC; and Unity Villa Apartments – located outside city limits.

West (across NW Blue Pkwy): PMIX—vacant property owned by Unity Reality, LLC

Background

- November 17, 2011 – The City Council approved a cooperative agreement by and among the City of Lee's Summit, MO, Unity Village and the Unity School of Christianity for the annexation and development of certain property located in Lee's Summit.
- December 15, 2011 – The City Council approved an ordinance providing for the concurrent detachment from Unity Village, MO, and annexation by the City of Lee's Summit, MO, of property legally described as consisting of the Phases 1, 2 and 3 Unity Development by Ord. #7130.
- December 20, 2012 – The City Council approved a zoning classification (Appl. #PL2012-124) to PMIX, on land south of NW Colbern Rd and east of M-350 Highway by Ord. #7270.

Analysis of Preliminary Development Plan

This preliminary development plan is for the construction of an 18,500 square foot eye care and surgery center (Lot 1) and two 10,000 square foot office/retail buildings (Lot 2). The remainder of the subject property is conceptually shown as 17 additional office/commercial buildings totaling approximately 542,500 sq. ft. to be constructed on the 61 acres adjacent to the subject

preliminary development plan. The area under the conceptual development plan will have to go back through the preliminary development plan approval process when it is ready to be developed.

High Impact Screening. Modification requested. **Staff supports the request.**

- Proposed – The applicant proposes to provide medium impact landscape screening with a minimum 10 foot wide buffer yard. The applicant shall also provide additional screening in the form of a 6 foot tall vinyl fence with masonry piers located along a portion of the eastern property line of Lot 2, between Summit Village and the adjacent Unity Villa Apartments.
- Required – high-impact screening along the east property line, adjacent to the Unity Village Apartments.
 - A twenty (20) foot buffer yard;
 - Low impact screening planted on both sides of the wall or the fence; and
 - Six foot high masonry wall or opaque vinyl fence
- Recommended – Lot 2 of Summit Village is bounded by Unity Villa Apartments to the east. The western border of the apartment site is composed of a mature stand of trees, a large covered carport structure and an apartment building. The existing trees and structures provide a significant physical buffer along the western border of the apartment site. In lieu of a low-impact landscape screen plus a 6’ vinyl fence along the entire length of the proposed Lot 2 adjacent to the apartments, the applicant proposes to install a medium impact landscape screen along the length of Lot 2 plus a 6’ vinyl fence only along an approximately 60’ long area where there is a physical gap between the carport and apartment building on the Unity Villa site. Staff supports the requested modification. Staff believes that the existing structures and landscaping on the apartment site coupled with the proposed landscaping and fencing on the proposed Summit Village site meets the intent of the buffer/screen requirements of the UDO.

Code and Ordinance Requirements

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

Engineering

1. All required engineering plans and studies, including water lines, sanitary sewers, storm drainage, streets and erosion and sediment control shall be submitted along with the final plat and final development plan. All public infrastructure must be substantially complete, prior to the issuance of any certificates of occupancy.
2. All Engineering Plan Review and Inspection Fees shall be paid for prior to approval of the associated engineering plans and prior to the issuance of any infrastructure permits or the start of construction (excluding land disturbance permit).
3. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of an infrastructure permit or prior to the approval of the Final Development Plan/Engineering Plans.
4. All permanent off-site easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion. A certified copy shall be submitted to the City for verification.

5. Certain aspects of the development plan will be further reviewed during the final development plan phase of the project. This includes the alignment of the storm sewer at the intersection of NW Blue Pkwy and the new public street, and the analysis of the water system to determine if the proposed 8 inch water line is sufficient to serve future phases of the project.
6. Any cut and / or fill operations, which cause public infrastructure to exceed the maximum / minimum depths of cover shall be mitigated by relocating the infrastructure vertically and / or horizontally to meet the specifications contained within the City's Design and Construction Manual.

Fire

7. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety of fire fighters and emergency responders during emergency operations, shall be in accordance with the 2012 International Fire Code. For information only. Automatic fire suppression shall be provided as required by Chapter 9.
8. IFC 507.5.1- Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Action required: Provide a hydrant plan that provide accessible hydrants that meet this requirement.
9. IFC 903.3.7- Fire department connections. The location of fire department connections shall be approved by the fire code official. Connections shall be a 4 inch Storz type fitting and located within 100 feet of a fire hydrant, or as approved by the code official.

Action required: Show the location(s) of the FDC, and the hydrant within 100 feet.
10. Provide a detail for the island in the roundabout.

Planning

11. Accessible parking signs shall meet the requirements set forth in the **Manual on Uniform Traffic Devices (R7-8)**. Each accessible parking space shall be identified by a sign, mounted on a pole or other structure, located 60 inches (5 feet) above the ground measured from the bottom of the sign, at the head of the parking space.
12. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All proposed signs must comply with the sign requirements of Article 13 of the UDO.
13. Lot line dimensions, bearings and distances shall be added to Sheet C001 – Conceptual Master Plan: Phase One.
14. The new public road extension east of Blue Pkwy shall be given a name. Prospective street names shall be provided to the City for review and approval in compliance with the street naming policy.
15. 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 with a steel gate painted to be compatible with the color of the masonry walls and building it is to serve.

16. Vehicle parking and loading areas, and all access drives shall meet the minimum landscaping requirements set forth in Unified Development Ordinance (UDO) Section 14.
17. All non-residentially developed lots which contain a minimum of four (4) parking lot light poles shall be reduced by at least 50% of the full operational levels within 60 minutes after the close of business. Lighting levels may be reduced by turning off 50% of the parking lot lights or by dimming parking lot lighting levels to no more than 50% of the levels used during business or activity hours, or by some combination.
18. Parking lot pavement thickness shall be in accordance with Section 12.120 of the UDO.
19. A final plat shall be approved and recorded prior to any building permits being issued. All subdivision-related public improvements must be complete prior to approval of the final plat by the City Council unless security is provided in the manner set forth in UDO Section 16.340.
20. The Developer shall execute a mutually satisfactory development with the City, which addresses, at a minimum, the road improvements recommended in the Transportation Impact Analysis form dated August 12, 2016. No building permits shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office.

RGM/hsj

Attachments:

1. Transportation Impact Analysis prepared by Michael Park, dated August 12, 2016—3 pages
2. Traffic Impact Study prepared by Priority Engineers, Inc., dated July 20, 2016—22 pages
3. Preliminary Development Plan, date stamped December 6, 2016—22 pages
 - Cover Sheet, Sheet C000
 - Conceptual Master Plan: Phase One, Sheet C001
 - Existing Conditions, Sheet C002
 - Preliminary Site Plan, Sheet C003
 - Lot 1 Phasing Plan, Sheet C004
 - Preliminary Site Plan: Lot 1 Phase IA, Sheet C005
 - Grading Plan, Sheet C006
 - Utility Plan, Sheet C007
 - Detail Sheet, Sheet C008
 - Landscape Concept, Sheet L001
 - Lot 1 Building Renderings and Elevations—7 pages
 - Lot 2 Building Elevations, Typical
 - Trash Enclosure Details, Sheet A923
 - Electrical Site Photometric Plan, Sheet ES010
 - Electrical Site Photometric Plan, Sheet ES011
 - Electrical Site Light Fixture Cut Sheets, Sheet ES020
4. High Impact Buffer Requirement Modification Request Letter, dated August 16, 2016
5. Location Map



LEE'S SUMMIT
MISSOURI
DEVELOPMENT REVIEW FORM
TRANSPORTATION IMPACT

DATE: August 12, 2016
SUBMITTAL DATE: August 9, 2016
APPLICATION #: PL2016114
PROJECT NAME: SUMMIT VILLAGE

CONDUCTED BY: Michael K Park, PE, PTOE
PHONE: 816.969.1800
EMAIL: Michael.Park@cityofls.net
PROJECT TYPE: Prel Dev Plan (PDP)

SURROUNDING ENVIRONMENT (*Streets, Developments*)

The proposed preliminary development plan is located at the southeast corner of Blue Parkway and Colbern Road. The surrounding area includes existing multi-family residential and other undeveloped properties to the east, Unity Village to the north, undeveloped properties to the west (with an illustration of conceptual development shown on the Preliminary Development Plan) and various commercial/office/industrial developments towards the south.

ALLOWABLE ACCESS

The proposed development will be accessed from Blue Parkway with a future access from Colbern Road. Access from Blue Parkway includes a right-in/right-out driveway located just south of the existing roundabout and an unrestricted intersection south of this right-in/right-out driveway. The proposed full access from Blue Parkway may or may not be a public street or private street; to be determined at Final Development Plan. All of the proposed intersections will have adequate sight distance.

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

Blue Parkway is a four-lane median divided major arterial between I-470 and Colbern Road. Blue Parkway extends south of I-470 throughout Lee's Summit. Colbern Road is a two-lane undivided major arterial currently constructed to interim/unimproved road (e.g. rural) standard between Blue Parkway and Douglas Street. East of Douglas Street and West of Blue Parkway Colbern Road has an urban design with four or more lanes including medians along some divided roadway sections. Colbern Road extends east-west across Lee's Summit with major interchange access. Blue Parkway and Colbern Road have a 45 mph speed limit in the vicinity of the proposed development. The intersection of Colbern Road and Blue Parkway is controlled by a multi-lane roundabout.

ACCESS MANAGEMENT CODE COMPLIANCE?

Yes

No

The development plan lacks otherwise required northbound right-turns lane at each intersection serving the proposed development along Blue Parkway. These two right-turn lanes are a requirement of the Access Management Code. No justification for waiver and omission has been proposed in the applicant's traffic study. However, in consideration of recent design and construction of Blue Parkway, the limited amount of development proposed with the preliminary plan, current traffic volumes along Blue Parkway, intersection separation and sight distance; staff supports a waiver to the Access Management Code right-turn lane requirements for this

preliminary development plan at this time and under these conditions. The City Engineer (or designee) is authorized to grant such waivers. Staff may recommend such turn lanes upon continued development of the surrounding property served by the same driveways/roadways in the future from Blue Parkway (and similar turn lanes along Colbern Road when access from Colbern Road is proposed). All other driveway/intersection spacing conditions, driveway throat lengths, sight distance, connectivity and site circulation required by the Access Management Code have been satisfied.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	1,146	573	573
A.M. Peak Hour	101	85	16
P.M. Peak Hour	174	37	137

The trip generation above represents development of the preliminary development plan. Trip generation of the full conceptual development plan shown surrounding the preliminary plan is described in the applicants traffic impact study.

TRANSPORTATION IMPACT STUDY REQUIRED? Yes No

The proposed development will likely generate more than 100 vehicle trips to the surrounding street system during any given peak hour. A traffic impact study was completed by Priority Engineers, dated July 20, 2016. The traffic study analyzed the impact of the proposed development and a conceptual development plan for the surrounding undeveloped property during the AM and PM commuter peak hours at intersections along Blue Parkway and Colbern Road as well as at site access drives.

The traffic study assesses existing conditions and considers the impact of the proposed development in multiple phases of construction. Existing conditions did not include projected trips to/from approved, but unbuilt, development in the areas along Blue Parkway and Ward Road to the south of I-470 (e.g. the Missouri Innovation Campus, Summit Place, and Summit Orchards) as typically considered for nearby development to assess the compounding impact of concurrent projects and associated improvements for adequate levels of service.

The traffic study reports all of the existing intersections and traffic movements are operating at acceptable levels of service. Level of service (LOS) is an industry standard performance measure from A to F similar to a school grade card with A the best and F the worst representation of vehicle delay. The City has adopted a LOS C goal. All of the existing vehicle queues are contained within the existing turn lanes for all peak hours at all the study intersections. There are no additional improvements or signals warranted for existing conditions at the studied intersections and roadways.

The resulting traffic operations upon completion of the proposed preliminary development plan (excluding the surrounding conceptual plan) indicate continued adequate level of service and managed vehicle queues at all studied intersections without any additional improvements required.

A revised traffic impact study is likely required for consideration of any development within the conceptual development plan area due to alterations in the transportation network, land

use/density, available transportation capacities assumed in the referenced study and general lack of review and analysis of operations and conditions (e.g. unimproved/interim road policy, Access Management Code turn lane requirements, traffic signal warrant analysis, etc.) to sufficiently address the forecasted impact of such development. The aforementioned study did not adequately address some of these issues, nor consider previously approved developments or necessity/timing of improvements to the existing 2-lane, interim/unimproved road standards for Colbern Road east of Blue Parkway.

LIVABLE STREETS (*Resolution 10-17*)

COMPLIANT

EXCEPTIONS

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

RECOMMENDATION:

APPROVAL

DENIAL

N/A

STIPULATIONS

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

Staff recommends approval of the proposed preliminary development plan.

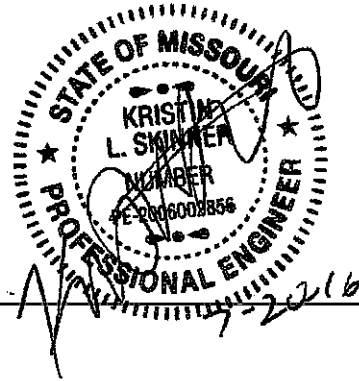
Summit Village

TRAFFIC IMPACT STUDY

July 20, 2016

Prepared For:
Unity Realty, LLC

Prepared By:
Priority Engineers, Inc.
PO Box 563
Garden City, MO 64747





Priority
ENGINEERS, INC.

July 20, 2016

Mr. Guy Swanson
Unity Realty, LLC

Re: Summit Village – Lee's Summit, MO

Dear Mr. Swanson:

In response to your request, Priority Engineers, Inc. has completed a traffic impact study for the above referenced project. The purpose of the analysis is to determine the potential traffic impacts associated with this development on the intersections and streets surrounding this site, primarily during the AM and PM peak hours. The following report documents our analysis and recommendations.

We appreciate the opportunity to work with you on this project. Please contact us with any questions or if you require additional information.

Sincerely,

PRIORITY ENGINEERS, INC.

Kristin L. Skinner, P.E., PTOE
President

Priority Engineers, Inc.
PO Box 563
Garden City, MO 64747
816.738.4400

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1) INTRODUCTION

The purpose of this study is to examine the potential traffic impacts associated with the proposed Summit Village development located south of Colbern Road to the east and west of Blue Parkway in Lee's Summit, Missouri. The development will have one access point onto Colbern Road, east of Blue Parkway, and several entrances onto Blue Parkway.

The study area is shown in Figure 1. The site layout is shown in Figure 2.

2) EXISTING CONDITIONS

The existing site is located at the southeast corner of Colbern Road and MO 350 Highway, and is on both sides of the newly constructed Blue Parkway. The property includes the vacated section of the old Blue Parkway alignment, and is currently vacant.

Blue Parkway is a four lane arterial which has recently been realigned south of Colbern Road. The posted speed limit on Blue Parkway is 40 miles per hour. The Colbern Road and Blue Parkway intersection is a single lane roundabout with right turn lanes for the eastbound and northbound movements.

Colbern Road is identified as a two lane arterial west of Douglas in the City of Lee's Summit Thoroughfare Master Plan. Between the MO 350 Highway interchange and the roundabout at Blue Parkway, Colbern Road has two eastbound lanes, and narrows to a single eastbound lane after the roundabout. The posted speed limit on Colbern Road is 45 miles per hour.

To the north of this property is Unity Village. Unity Villas are located on the south side of Colbern Road, with the remaining buildings located to the north of Colbern Road. The site is bordered on the west by MO 350 Highway, with undeveloped land beyond MO 350. The land to the east of this site is currently undeveloped land which is expected to eventually to become commercial, office, and light industrial uses. Further to the south, on the south side of I-470, are additional retail and light industrial uses.

Peak Hour turning movement traffic counts were collected for the intersections of Colbern Road with Pryor Road, the MO 350 Ramps, and Blue Parkway as well as the intersections of Blue Parkway with the I-470 Ramps. These counts were collected between the hours of 7:00 and 9:00 AM and from 4:00 to 6:00 PM on typical weekdays during June and July of this year. The peak hours were determined to be from 7:15 to 8:15 AM and from 4:45 to 5:45 PM. The complete traffic counts are shown in Appendix II.

The peak hour traffic volumes and existing lane configurations are shown in Figures 3-7.

3) PROPOSED DEVELOPMENT

The proposed site plan is shown in Figure 2. The site will include two hotels, and a small retail component. The remainder of the site will be office uses with the four buildings closest to the Colbern Road roundabout assumed to be medical or dental offices.

The proposed development will have one access point, labeled East Drive in this report, onto Colbern Road. This drive is approximately 700' east of the Unity Villas driveway. On the east side of Blue Parkway, there will be a right-in/right-out driveway approximately 280' south of the roundabout. A full-access intersection has been planned approximately 700' south of the

roundabout. This intersection will be at the location of the median break in Blue Parkway, and is referred to as "Main Entrance" in this report. Within the site, the road will extend to the east and connect to the east drive. Several minor drives will be constructed along this road which were not modeled. These drives meet the minimum spacing required in the City of Lee's Summit Access Management Code. One additional full-access intersection, labeled South Drive in this report, will be added near the southern boundary of the property. The South Drive will be a tee intersection extending to the west. This drive will exceed the minimum spacing standards to the Main Entrance intersection to the north for a major arterial. To the south, the next side street will be located approximately 233' south of this drive.

The site has been laid out to provide for good site circulation with clear channelization that will lead customers to their destinations within the site. Minimum throat length for each drive meets or exceeds 125'.

4) TRIP GENERATION

The vehicle trips generated by the proposed development were estimated using the Institute of Transportation Engineers' Trip Generation, 9th Edition. Land Use 720, Medical-Dental Office Building was assumed for 61,000 square feet of the lots labeled Office in the provided plan. The remaining office space was assumed to be Land Use 710, General Office Building. Two hotels are identified in the plan with a total of 96,500 square feet. To estimate the number of rooms represented in this space, it was assumed that there would be two rooms per 1000 square feet. Finally, the 9,000 square foot retail area was assumed to be Land Use 826, Specialty Retail. The estimated AM and PM peak hour traffic volumes associated with these uses are shown in Table 1.

Land Use	ITE Code	Intensity	Daily	AM Peak			PM Peak		
				Total	In	Out	Total	In	Out
Medical-Dental Office Building	720	61,000 SF	2279	146	115	31	187	52	135
General Office Building	710	405,000 SF	3801	586	516	70	532	90	542
Hotel	310	193 Rooms	1354	102	60	42	116	59	57
Specialty Retail	826	9,000 SF	423				43	19	24
Total		571,500 SF	7857	834	691	143	878	220	758

*Assumed 2 rooms per 1000 SF

5) TRIP DISTRIBUTION

As part of the Blue Parkway and Colbern Road improvement project, Lutjen, Inc submitted traffic models to both the City of Lee's Summit and to the Missouri Department of Transportation for review. Traffic distribution for this study was assumed to be approximately the same as that assumed in the previously approved models. The assumptions for this study are as follows:

- 10 percent to/from the north on MO 350
- 5 percent to/from the south on MO 350
- 2.5 percent to/from the west on Colbern Road (Bannister)
- 2.5 percent to/from the south on Pryor Road
- 20 percent to/from the west on I-470
- 25 percent to/from the east on I-470
- 20 percent to/from the south on Blue Parkway
- 15 percent to/from the east on Colbern Road

The proposed development trips are shown in Figures 7-8.

6) LEVEL OF SERVICE AND VOLUME/CAPACITY ANALYSES

Capacity analysis was used to quantify the impacts of the increased traffic on the intersections studied. The methodology outlined in the Highway Capacity Manual, 2000 Edition, was used as a basis to perform the analysis for this study. Capacity analysis defines the quality of traffic operation for an intersection using a grading system called Level of Service (LOS). The LOS is defined in terms of average vehicle delay. Levels of service A through F have been established with A representing the best and F the worst.

Level of Service	Unsignalized Intersection	Signalized Intersection
A	< 10 Seconds	< 10 Seconds
B	< 15 Seconds	< 20 Seconds
C	< 25 Seconds	< 35 Seconds
D	< 35 Seconds	< 55 Seconds
E	< 50 Seconds	< 80 Seconds
F	≥ 50 Seconds	≥ 80 Seconds

The study intersections were evaluated using Synchro and SIDRA analysis packages based on part on Highway Capacity Manual methods. The analysis reports are included in Appendix II.

Existing Conditions

The levels of service, lane configuration, and queue lengths for existing conditions are shown in Figures 5 and 6 in Appendix I.

The overall level of service at each of the signalized intersections was a B during both the AM and PM Peak Hour. Individual movements for both signalized and unsignalized intersections are a C or better.

Existing + Proposed Development Conditions

The levels of service, lane configuration, and queue lengths for proposed conditions are shown in Figures 9 and 10 in Appendix I.

The overall level of service at each of the signalized intersections was a B or better during both the AM and PM Peak Hour. Individual movements for both signalized and unsignalized intersections are a D or better with acceptable queue lengths.

7) FUTURE CONDITIONS

A future scenario was created in order to estimate traffic volumes through study intersections in the year 2035. A 2% growth factor was applied to background traffic volumes to generate this scenario which is illustrated in Figures 11-14 in Appendix I.

The overall level of service at each of the signalized intersections was a B or better during both the AM and PM Peak Hour. Individual movements declined to lower levels of service at some locations. The southbound and northbound movement at Pryor Road and Colbern Road (Bannister) declined to a Level of Service F, with the northbound movement experiencing a significant queue. Long delays at stop controlled intersections are not uncommon during peak periods. It is likely that this property along Pryor Road may develop in the future, which could lead to signalization of this intersection. The westbound left turn movement at the Main Entrance and Blue Parkway lowers to a level of service E in the Future PM Peak Hour. The future design models completed by Lutjen assumed that this intersection would become signalized as traffic volumes increased on Blue Parkway. Additional westbound left turn capacity may become necessary at that time.

The roundabout at the intersection of Blue Parkway and Colbern Road continues to function well in the future scenario with an assumed 2% annual growth. Additional lanes may become necessary as traffic volumes increase due to development to the east and northeast of this site.

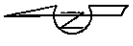
8) RECOMMENDATIONS & CONCLUSIONS

This study documents the impact of the proposed Summit Village Development on adjacent intersections and the surrounding streets. Blue Parkway was designed with future traffic volumes and development in mind. All study intersections work well in the proposed scenarios, and continue to operate well with a background growth factor of 2%.

No additional improvements are necessary as a result of this development.

APPENDIX I

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Future (2035) PM Peak Hour Lane Configurations & Levels of Service	Figure 14



Priority
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816.738.4400

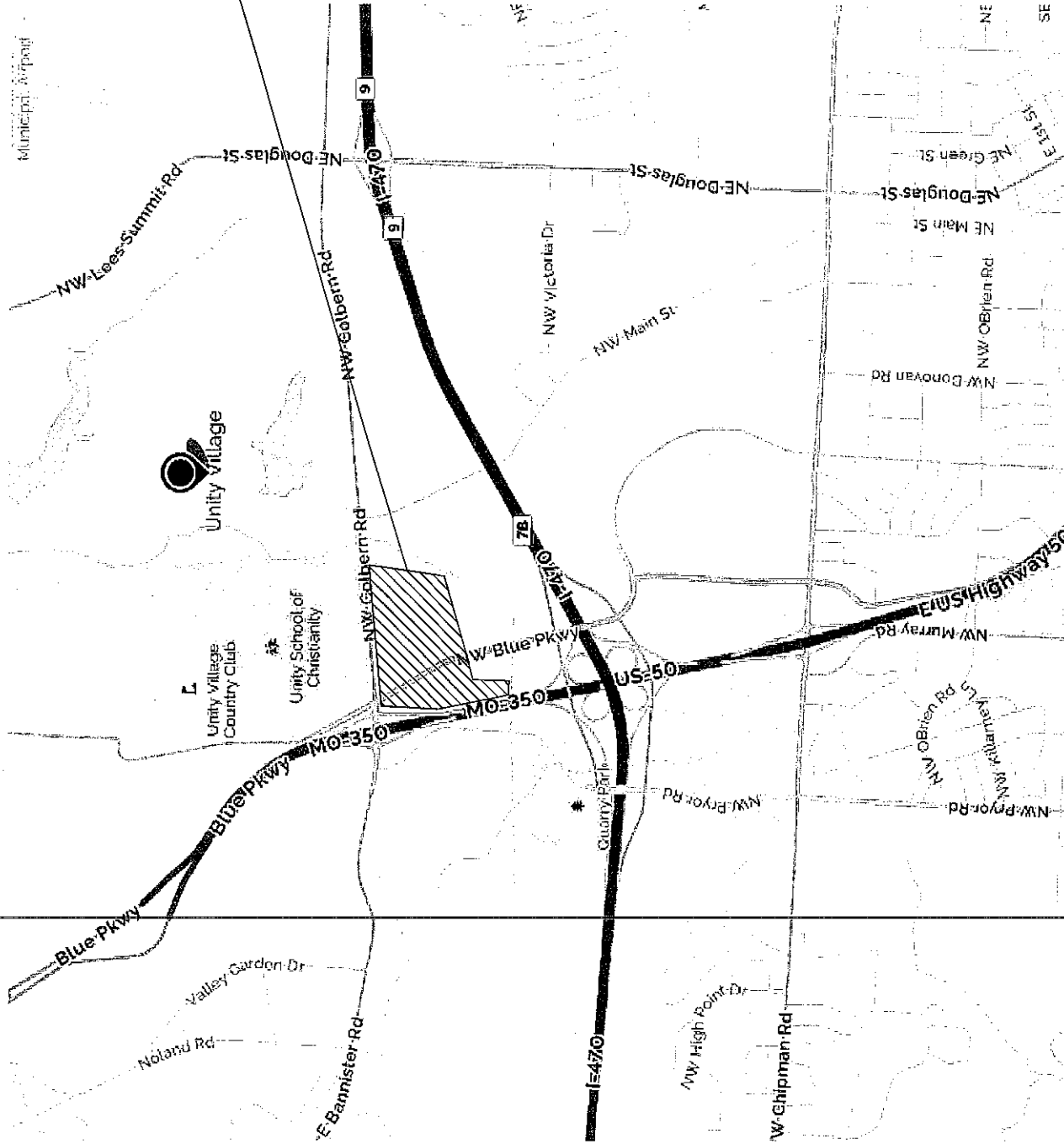
Project Location

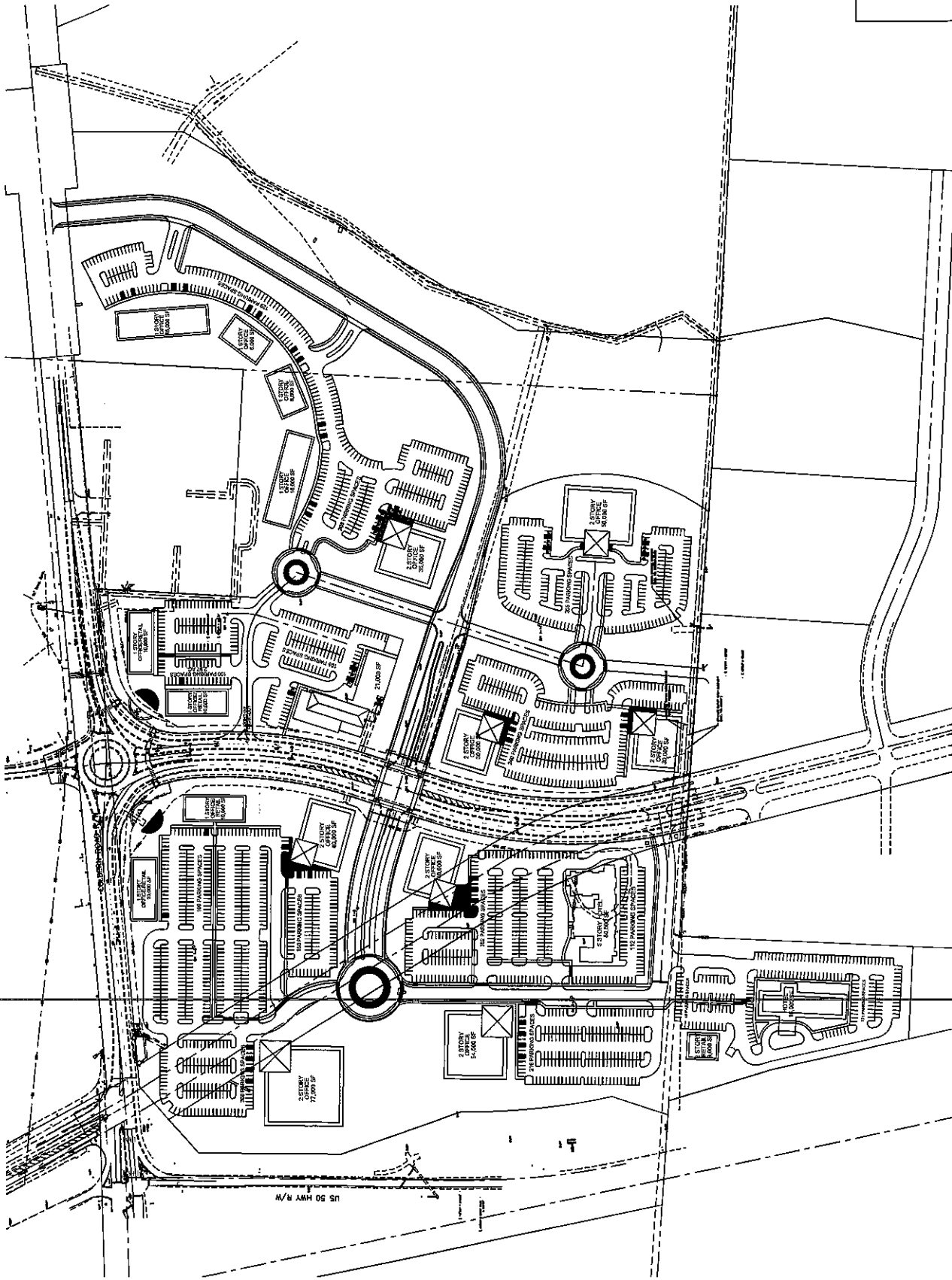
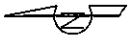
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Figure 1

Summit Village
Lee's Summit, MO

Project Location





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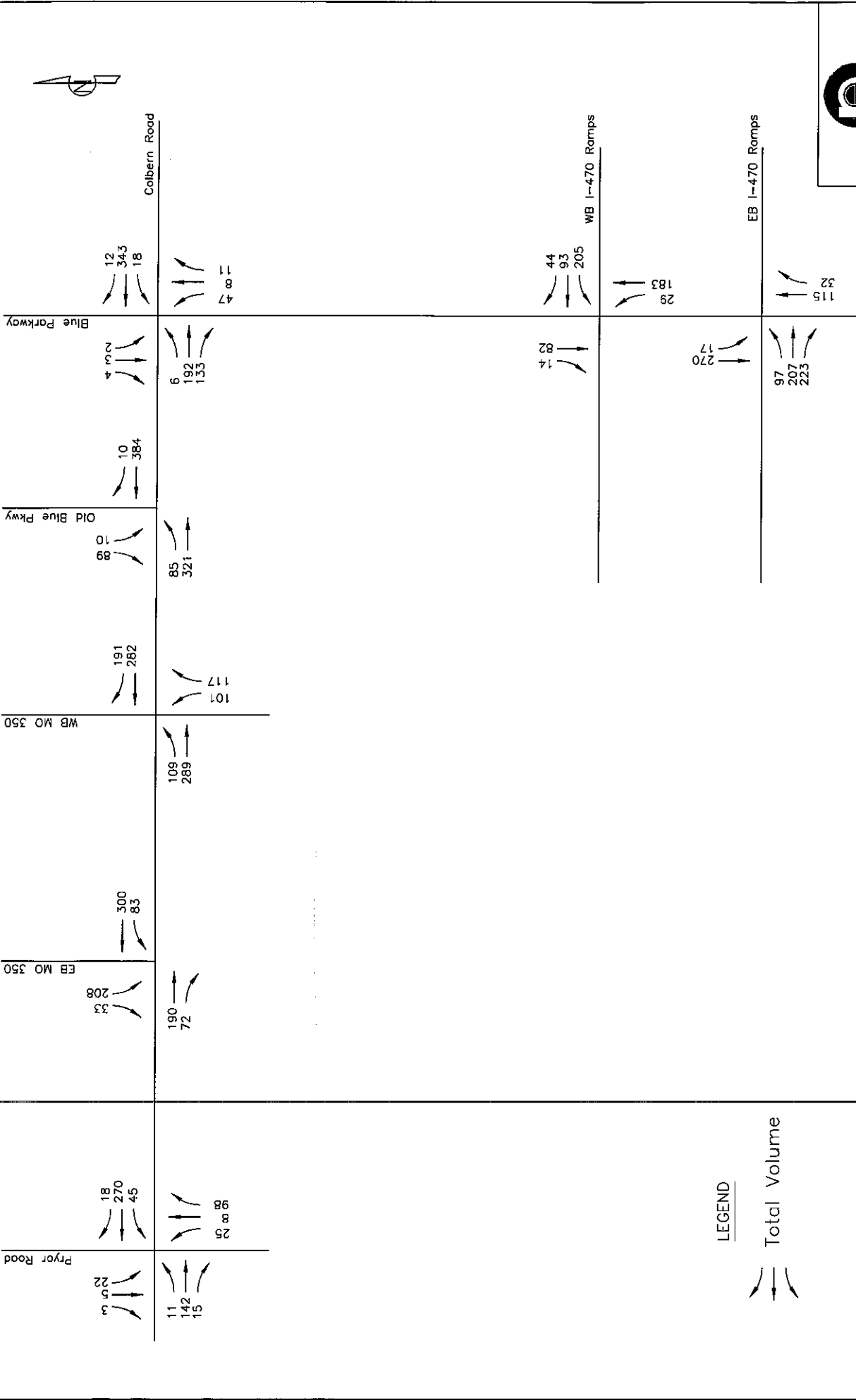
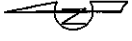
PO Box 563
Garden City, MO 64747
816.738.4400

No Scale

Figure 2

Summit Village
Lee's Summit, MO

Site Plan

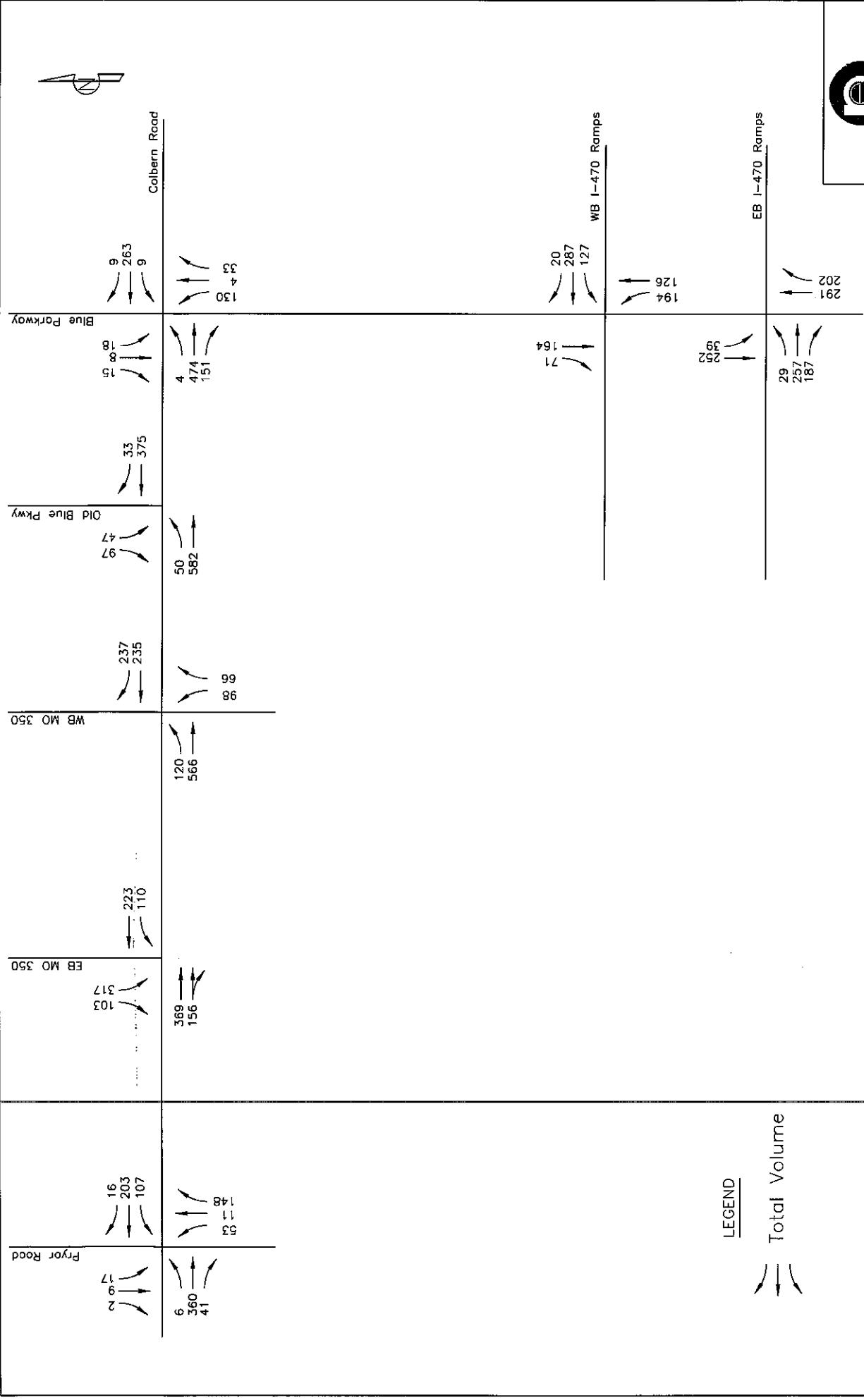



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No Scale
Figure 3

Summit Village
Lee's Summit, MO

Existing AM Peak Hour
Traffic Volumes

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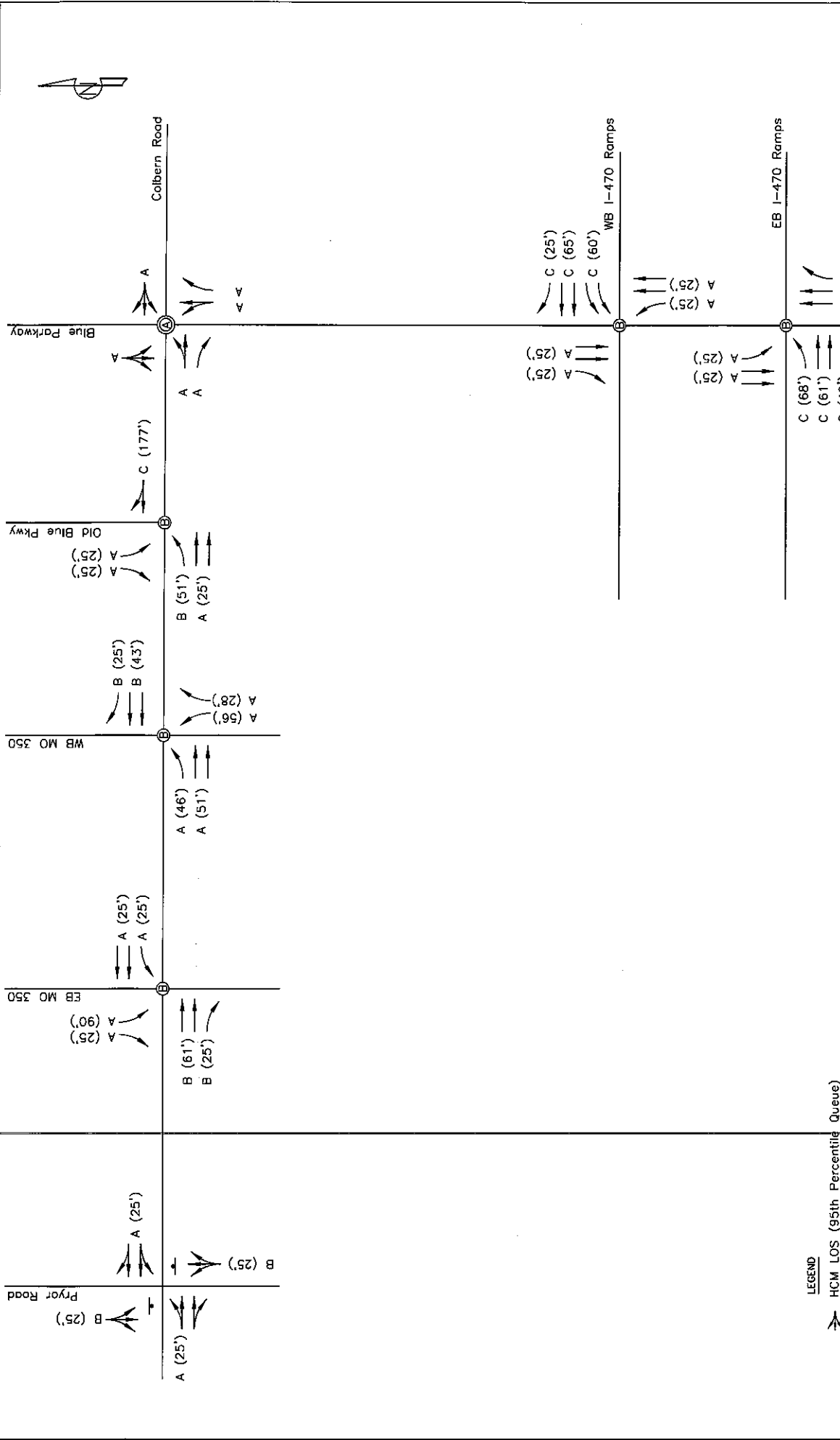
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No Scale

Figure 4

Summit Village
Lee's Summit, MO

Existing PM Peak Hour
Traffic Volumes



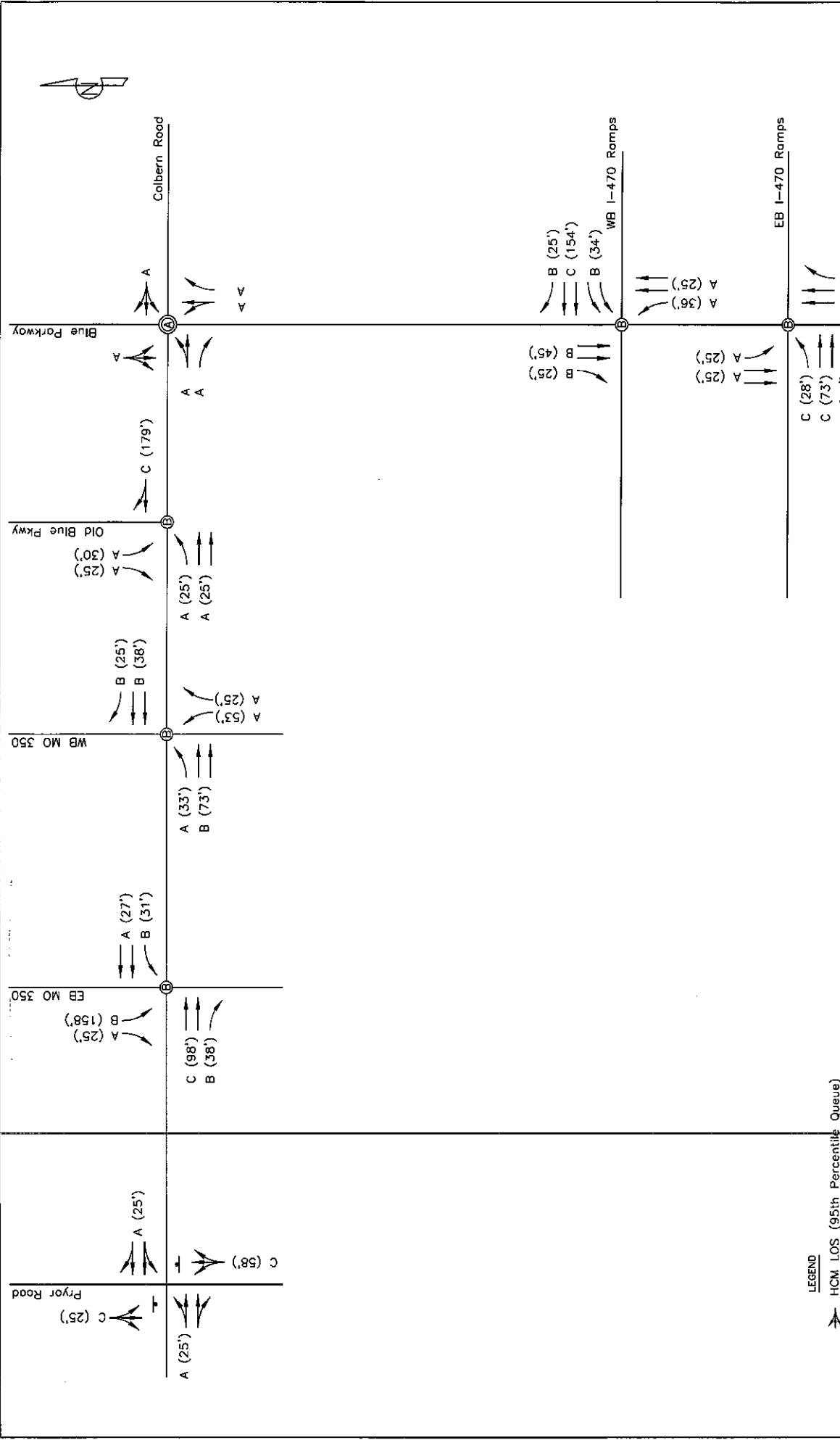
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816.738.4400

No Scale
Figure 5

Summit Village
Lee's Summit, MO

Existing AM Peak Hour
Lane Configuration &
Levels of Service

- LEGEND**
- HCM LOS (95th Percentile Queue)
 - Stop Sign
 - Traffic Signal LOS
 - Roundabout LOS



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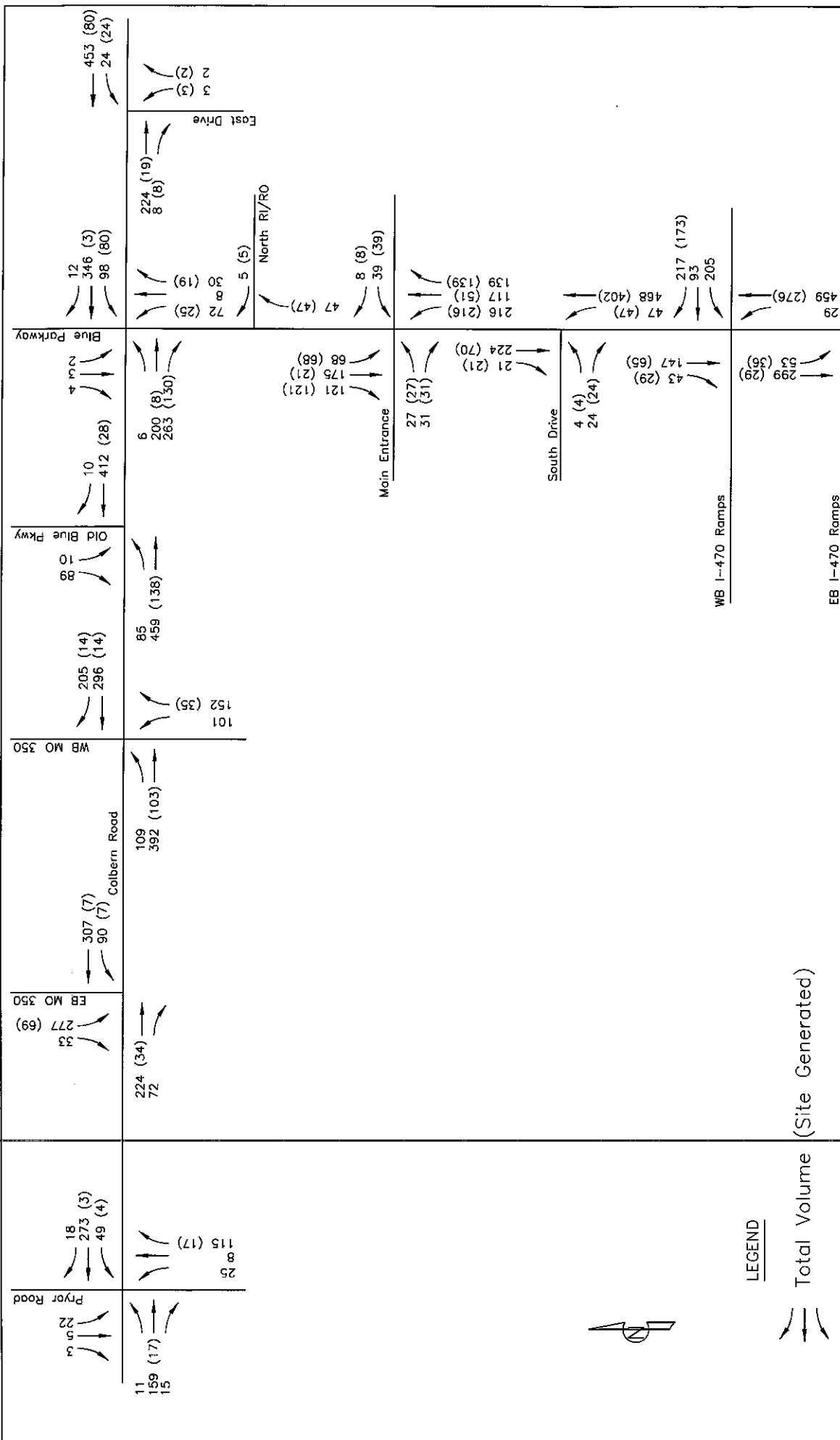
No Scale

Figure 6

Summit Village
Lee's Summit, MO

Existing PM Peak Hour
Lane Configuration &
Levels of Service

- LEGEND**
- HCM LOS (95th Percentile Queue)
 - Stop Sign
 - Traffic Signal LOS
 - Roundabout LOS

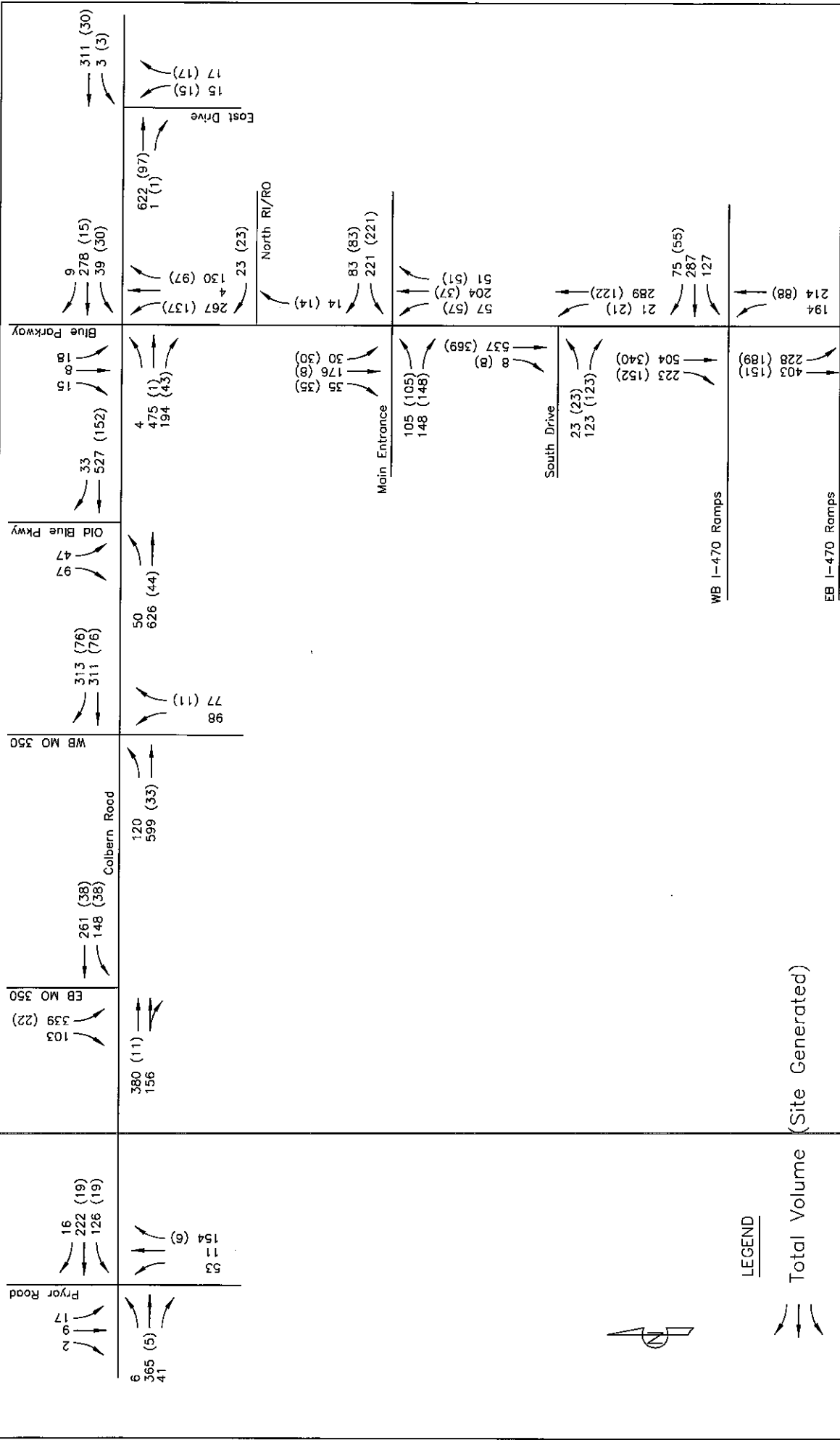


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No Scale
 Figure 7

Summit Village
 Lee's Summit, MO

Existing + Proposed Development
 AM Peak Hour
 Traffic Volumes



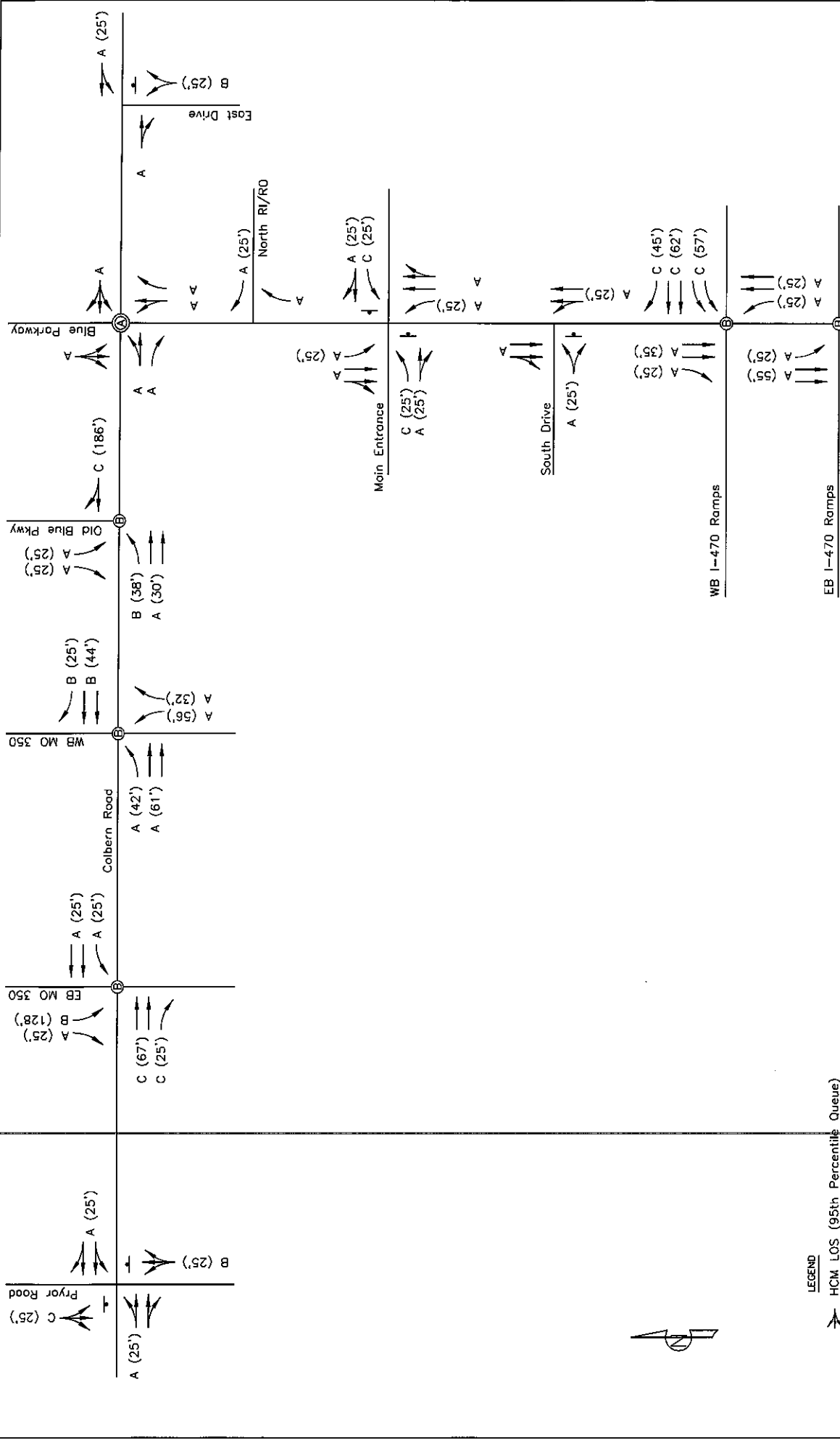
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No Scale

Figure 8

Summit Village
 Lee's Summit, MO

Existing + Proposed Development
 PM Peak Hour
 Traffic Volumes



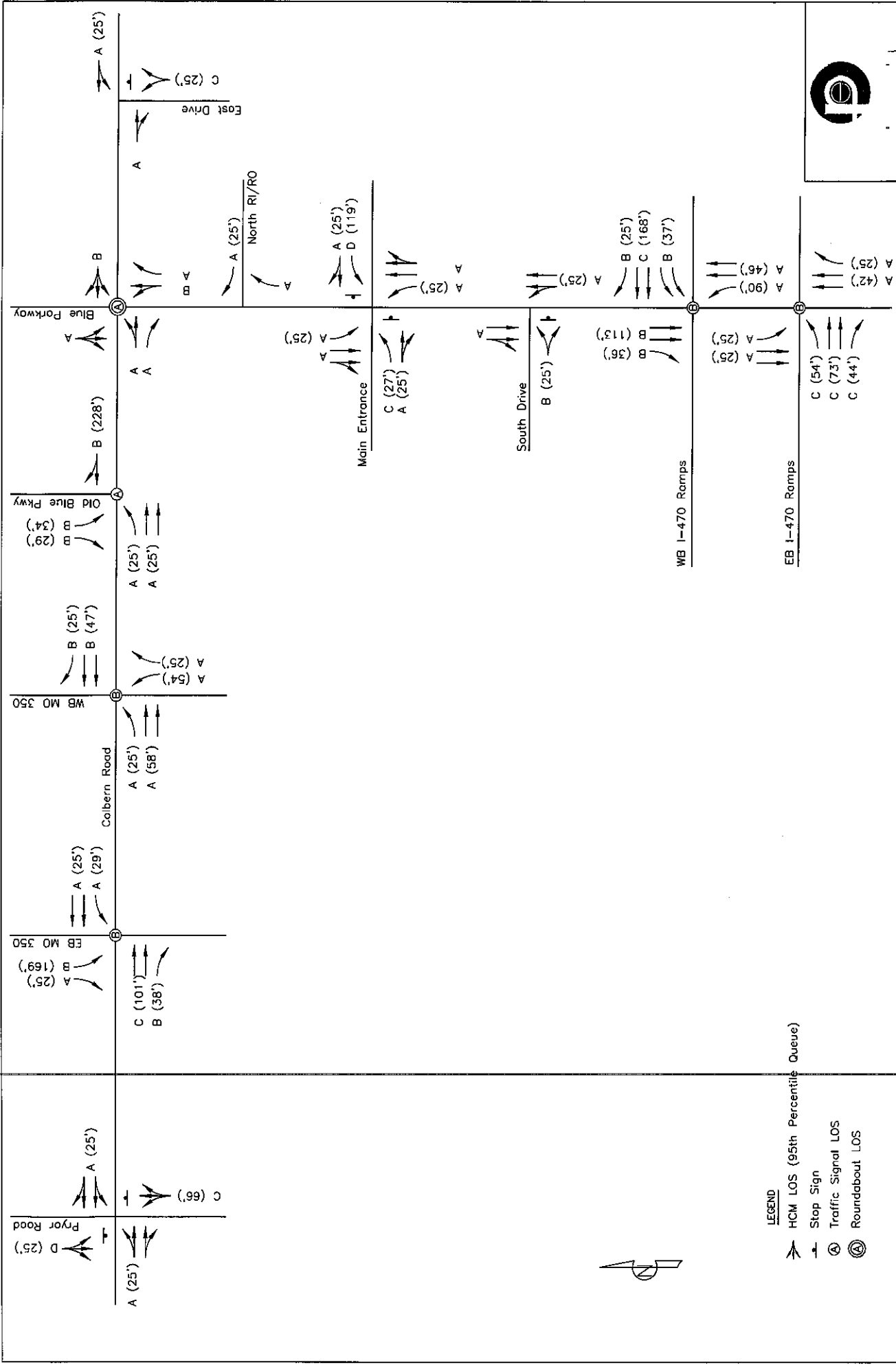

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No Scale

Figure 9

Summit Village
 Lee's Summit, MO

Existing + Proposed Development
 AM Peak Hour
 Lane Configuration &
 Levels of Service

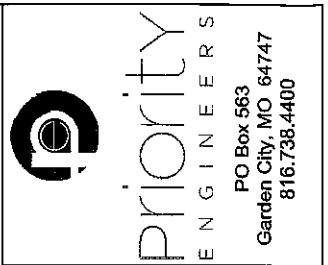
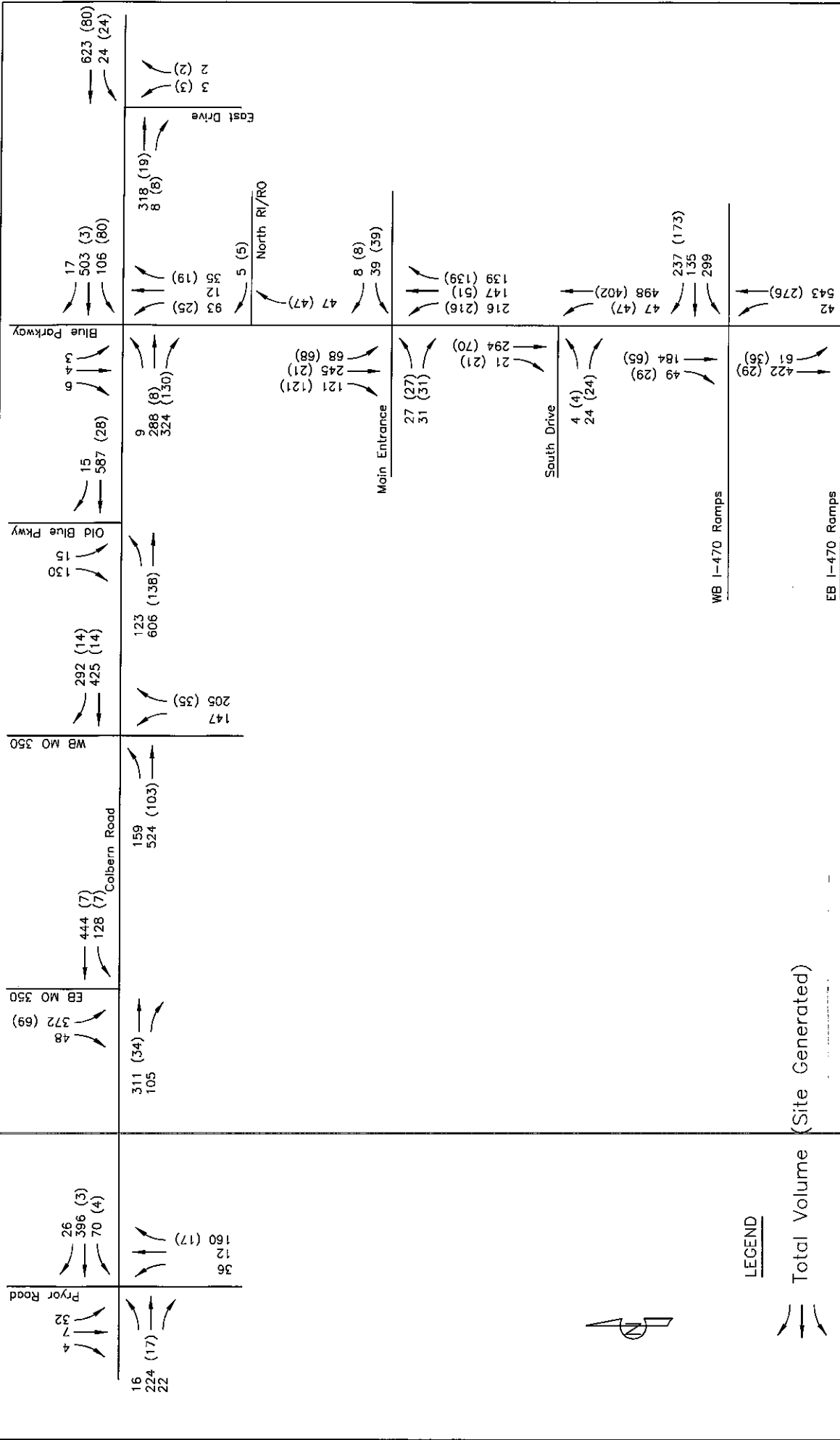
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No Scale

Figure 10

Summit Village
Lee's Summit, MO

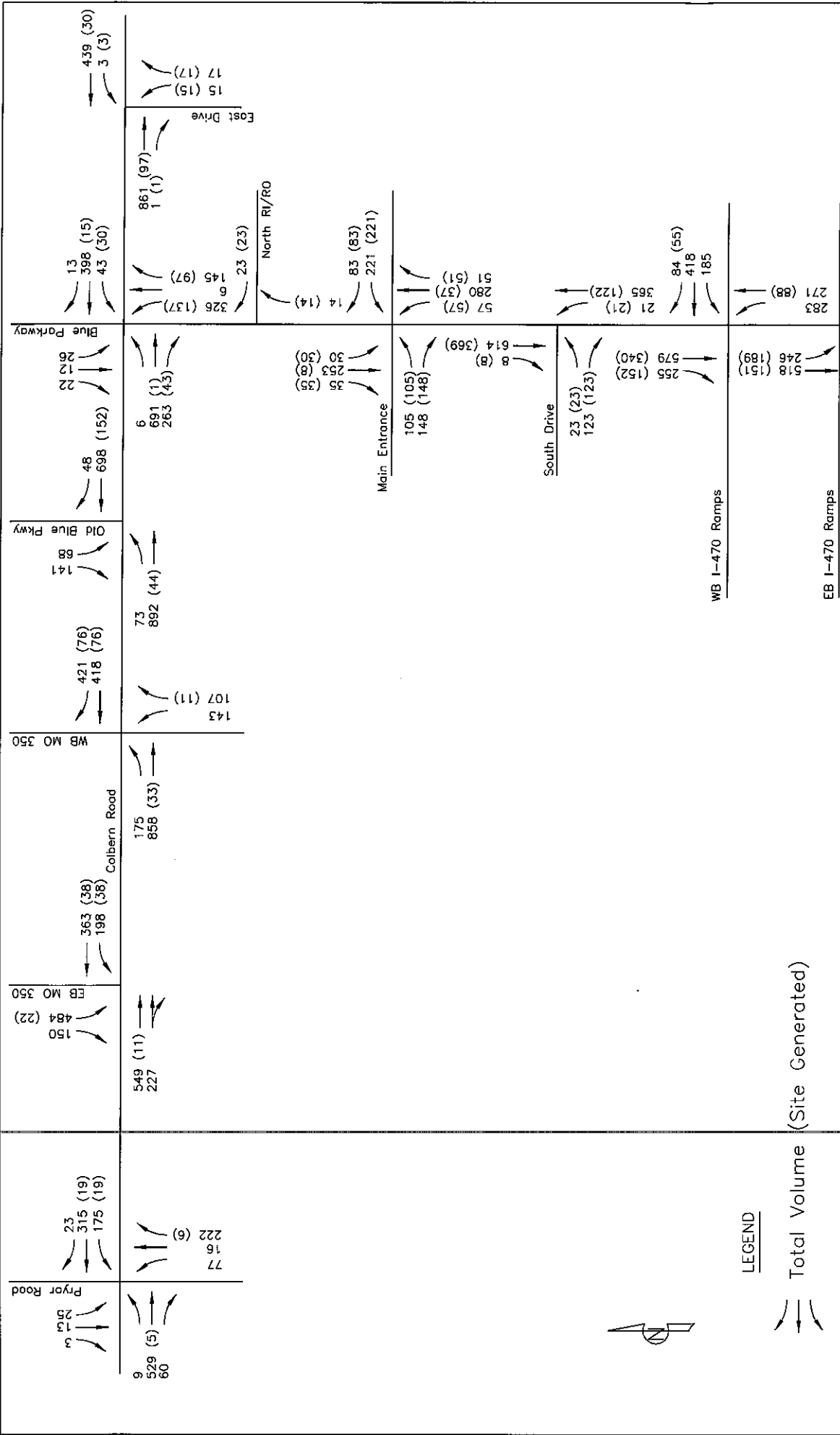
Existing + Proposed Development
PM Peak Hour
Lane Configuration &
Levels of Service



No Scale
 Figure 11

Summit Village
 Lee's Summit, MO

Future (2035)
 AM Peak Hour
 Traffic Volumes

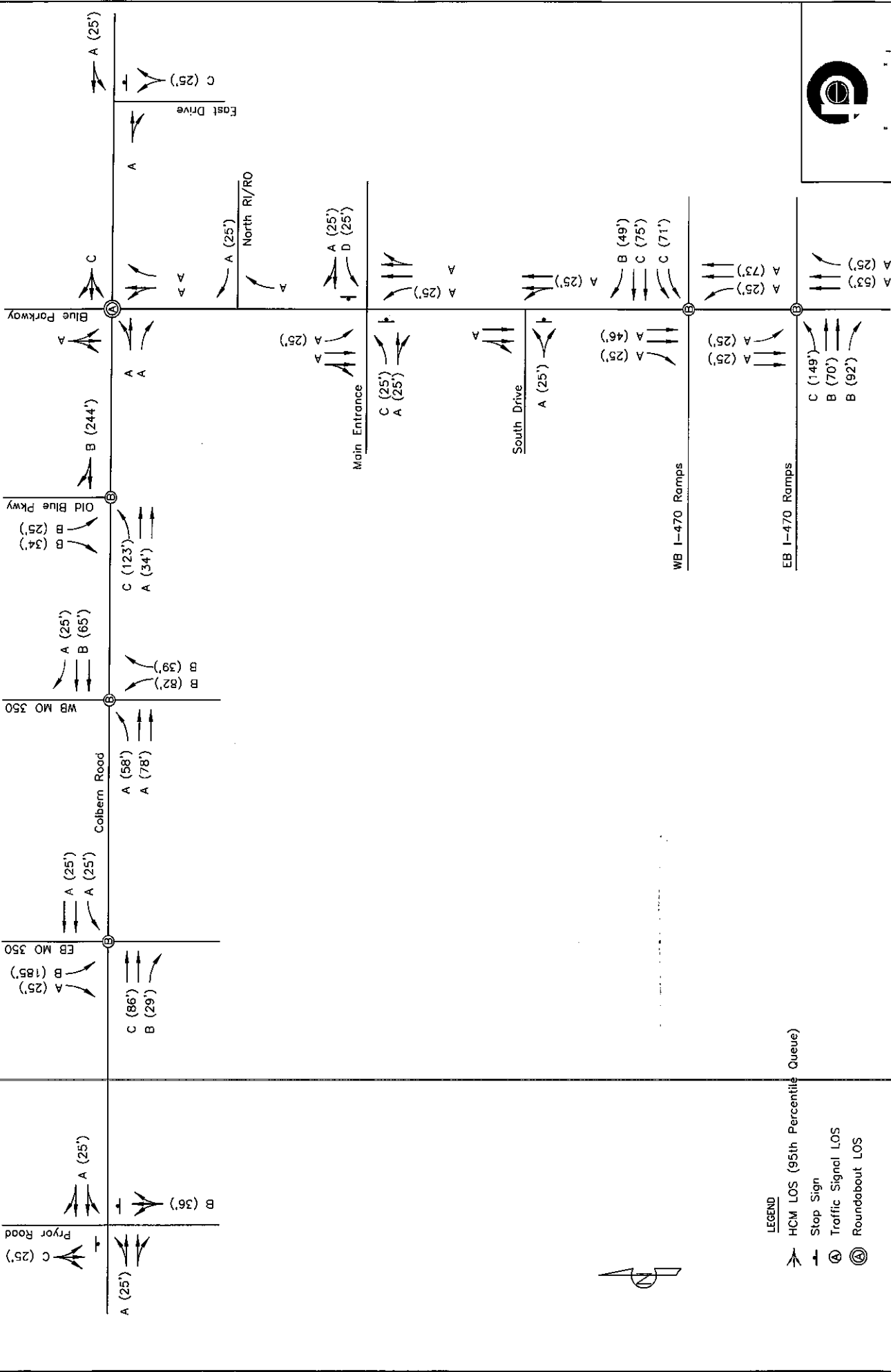


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No Scale
 Figure 12

Summit Village
 Lee's Summit, MO

Future (2035)
 PM Peak Hour
 Traffic Volumes



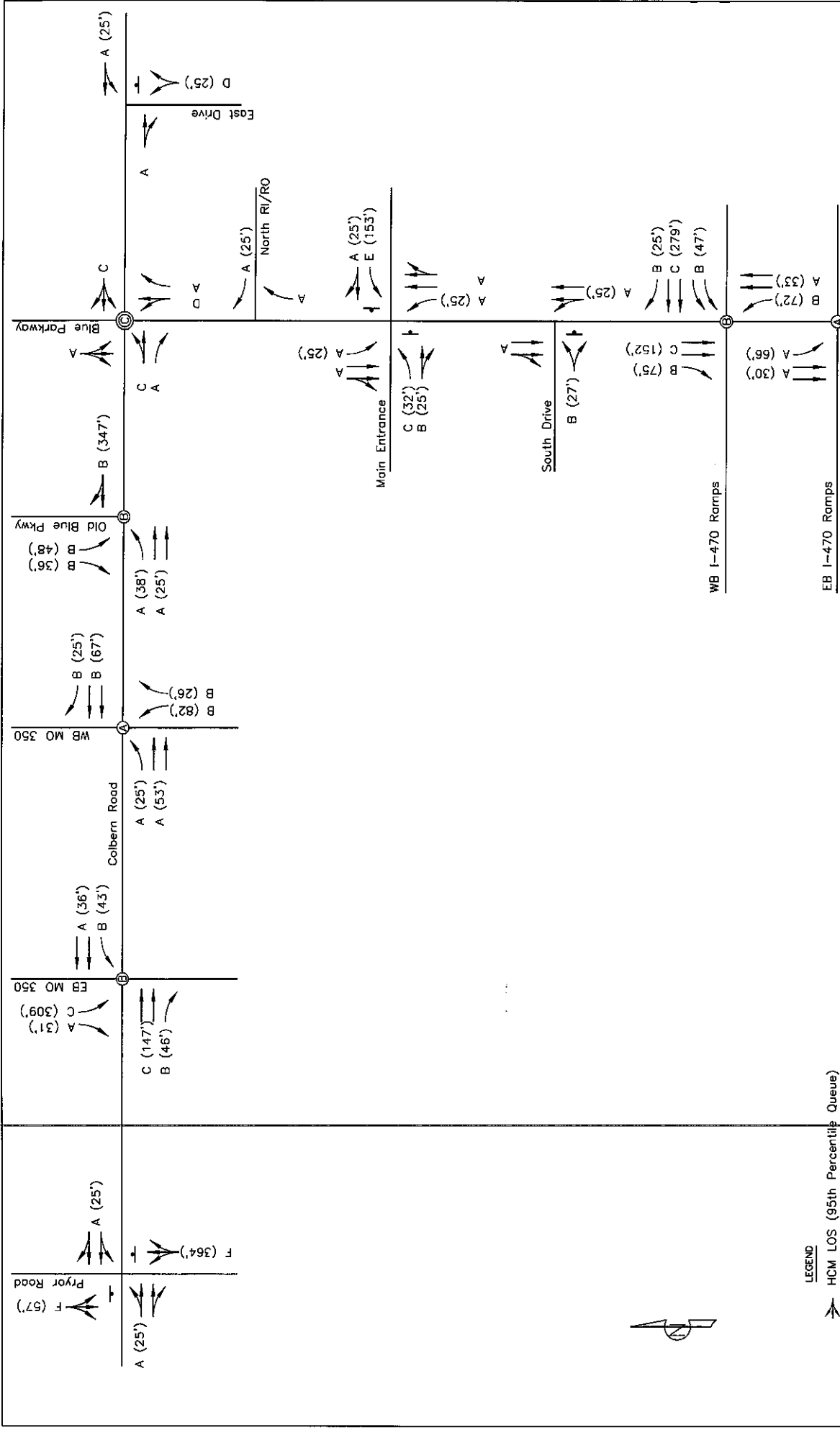
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No Scale

Figure 13

Summit Village
 Lee's Summit, MO

Future (2035)
 AM Peak Hour
 Lane Configuration &
 Levels of Service



No Scale
 Figure 14

Summit Village
 Lee's Summit, MO

Future (2035)
 PM Peak Hour
 Lane Configuration &
 Levels of Service

DATE:	08-03-2016
NO. REVISIONS/APPROVALS:	0
Revised per staff comments:	
Submitted to City:	

Reviewed By:	RF
Designed By:	SMW
Drawn By:	SMW
LUTJEN Project No.:	18103
City:	JACKSON, MISSOURI
Block #, Request, PUA:	Block 200701277

NO STATE CERTIFICATE OF AUTHORITY # 2007022824

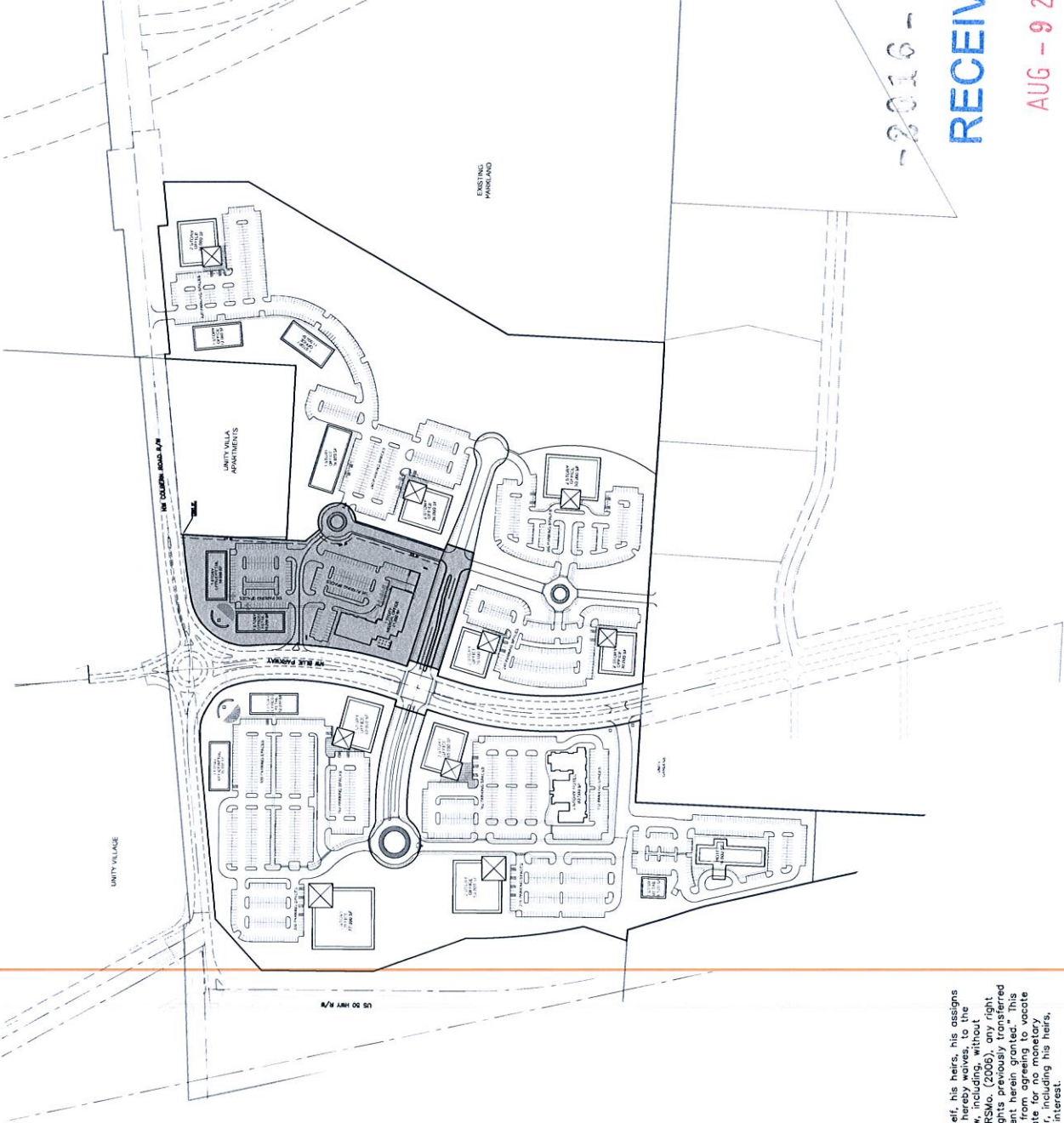


LUTJEN

CONCEPTUAL MASTER PLAN: PHASE ONE
 SUMMIT VILLAGE
 FIRST PLAT
 LEE'S SUMMIT, JACKSON COUNTY, MO

Sheet No.:
COO1

- General Notes:
- The limits of a 1% Annual Chance flood do not extend on to this site according to current FEMA maps, Panel 285 of 480, Map Number 25095C0285F.
 - No oil or gas well currently exist on this site according to the Missouri Department of Natural Resources Oil and Gas Log for County of Jackson Township 48 Range 32W.



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"Grantor, on behalf of himself, his heirs, his assigns and successors in interest, hereby waives, to the fullest extent allowed by law, including, without limitation, section 527.186 RSMo. (2006), any right to request restoration of right to sue, and agrees to execute this necessary instrument. This would not prohibit the City from agreeing to vacate the easement at a later date for no monetary consideration to the Grantor, including his heirs, assigns, and successors in interest."

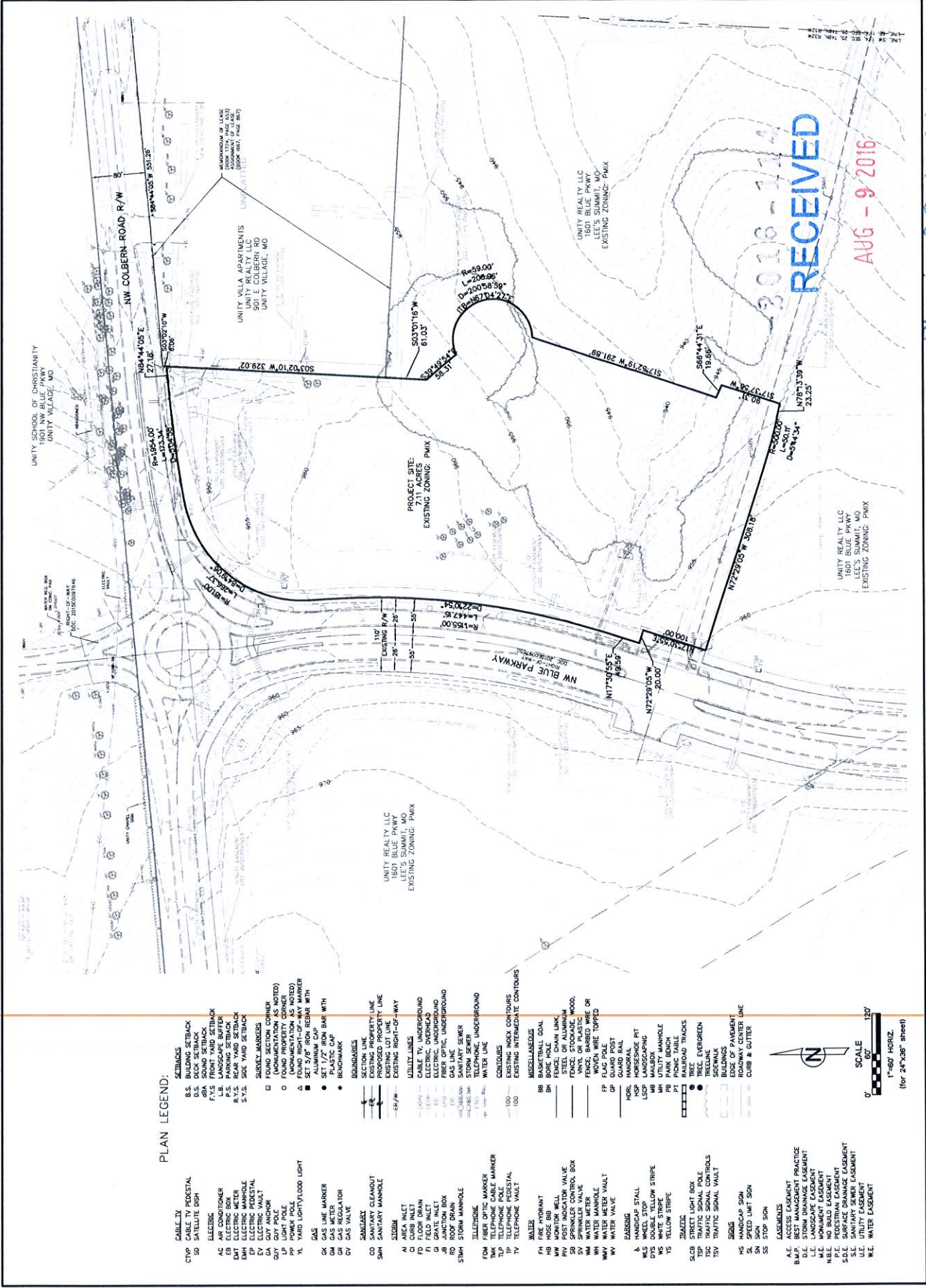
Sheet No.: C002

EXISTING CONDITIONS
 SUMMIT VILLAGE
 FIRST FLAT
 LEE'S SUMMIT, JACKSON COUNTY, MO



Reviewed By: [Signature]
 Designing By: [Signature]
 Checked By: [Signature]
 Date: 10/13/16
 LUTJEN PROJECT NO.: [Number]
 LUTJEN DRAWING NO.: [Number]
 LUTJEN SHEET NO.: [Number]
 Date of Revision: [Date]
 MOF 2009013277

DATE: 08-03-2016
 NO.: [Number]
 REVISIONS/APPROVALS



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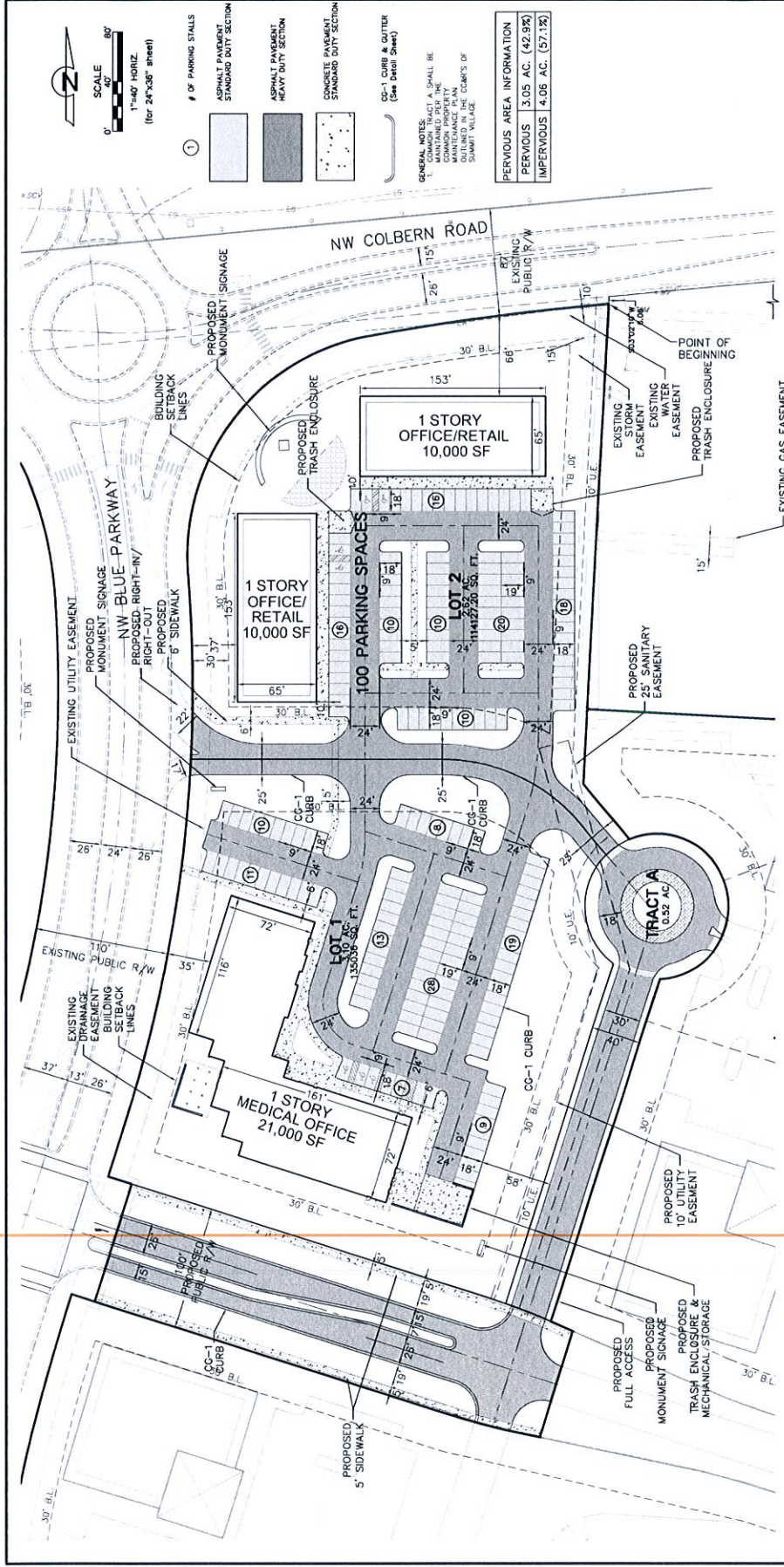
Planning & Codes Admin

PLAN LEGEND:

- STAIRCASE
- B.S. DECK SETBACK
- B.S. SOUND SETBACK
- L.P. LANDSCAPE BUFFER
- L.B. LANDSCAPE BUFFER
- P.S. PARKING SETBACK
- S.P.S. SIDEWALK SETBACK
- S.V.S. SIDE WALK SETBACK
- SUBJECT ADJACENT OWNER (MONUMENTATION AS NOTED)
- FOUND PROPERTY CORNER (D)
- FOUND RIGHT-OF-WAY MARKER (D)
- SET 5/8" IRON REBAR WITH PLASTIC CAP
- SET 1/2" BOX BARK WITH BENCHMARK
- BOUNDARIES
- SECTION LINE
- PROPERTY LINE
- PROPOSED PROPERTY LINE
- EXISTING LOT LINE
- EXISTING RIGHT-OF-WAY
- UTILITY LINES
- CHIEF TV UNDERGROUND
- EE ELECTRIC UNDERGROUND
- FRIBER OPTIC UNDERGROUND
- STORM SANITARY SINKER
- STORM SINKER
- WATER UNDERGROUND
- WATER LINE
- CONTOUR INDEX CONTOURS
- EXISTING INTERMEDIATE CONTOURS
- MISCELLANEOUS
- BH BASKETBALL GOAL
- BORE HOLE
- STEEL OR ALUMINUM
- FENCE STORAGE WOOD
- FENCES BARBED WIRE OR WOVEN WIRE TOPPED
- PP FLAG POLE
- GP GUARD RAIL
- HORL HANDRAIL
- LANDSCAPING
- LANDSCAPING
- MB MAILBOX
- PAINT MARKER
- PT PHONE TABLE
- RAILROAD TRACKS
- TREE EVERGREEN
- TREELINE
- BUILDINGS
- EDGE OF PAVEMENT
- ROADWAY CENTER LINE
- CURB & GUTTER
- SCALE 1"=50' HORIZ. 1/2"=10' VERT. (for 24"x36" sheet)

- CABLE TV
- CTP FORESTAL
- SD SATELLITE DISH
- ELECTRIC
- AC AIR CONDITIONER
- EB ELECTRIC BOX
- EW ELECTRIC WATER
- EP ELECTRIC PEDIESTAL
- EV ELECTRIC VALVE
- GV GAS VALVE
- LP LIGHT POLE
- YD YARD LIGHT/VALVE LIGHT
- GAZ
- GAZ LINE MARKER
- GM GAS METER
- GR GAS REGULATOR
- GS GAS VALVE
- SANITARY
- GLASSHOUT
- SMH SANITARY MANHOLE
- SZOBM
- AI AREA INLET
- CI CURB INLET
- FD FLOOR DRAIN
- GI GRATE INLET
- JB JUNCTION BOX
- SMH STORM MANHOLE
- TELEPHONE
- FRIBER OPTIC MARKER
- THK TELEPHONE CABLE MARKER
- TLP TELEPHONE POLE
- TTAL TELEPHONE TOWER
- TV TELEPHONE VAULT
- WALKER
- PH FIRE HYDRANT
- HB HOSE BIB
- PIV POIST INDICATOR VALVE
- SB SPRINKLER CONTROL BOX
- WV WATER VALVE
- WH WATER MANHOLE
- WMV WATER METER VAULT
- WV WATER METER VAULT
- ZABBING
- WLS WHEEL STOP
- DYS DOUBLE YELLOW STRIPE
- YS YELLOW STRIPE
- TRUCK
- SLGB STREET LIGHT BOX
- TSP TRAFFIC SIGNAL POLE
- TSC TRAFFIC SIGNAL CONTROLS
- TSV TRAFFIC SIGNAL VAULT
- SIGNS
- HS HANDICAP SIGN
- SN SIGN
- SS STOP SIGN
- EASEMENTS
- A.E. ACCESS EASEMENT
- B.E. BURIED EASEMENT
- D.E. DRAINAGE EASEMENT
- L.E. LANDSCAPE EASEMENT
- N.E. NO BUILD EASEMENT
- P.E. PEDESTRIAN EASEMENT
- S.E. SURFACE DRAINAGE EASEMENT
- U.E. UTILITY EASEMENT
- W.E. WATER EASEMENT

DATE:	08-09-2016
NO. REVISIONS/APPROVALS:	
REVISIONS:	
DATE:	



PERVIOUS AREA INFORMATION
 PERVIOUS 3.05 AC. (42.9%)
 IMPERVIOUS 4.06 AC. (57.1%)

GENERAL NOTES:
 1. COMMON TRACT A SHALL BE COMMON PROPERTY TO BE MAINTAINED BY THE SUBDIVISION. THE CARGO OF SUMMIT VILLAGE.
 2. SEE CURB & GUTTER (See Data Sheet)
 3. ASPHALT PAVEMENT STANDARD DUTY SECTION
 4. ASPHALT PAVEMENT HEAVY DUTY SECTION
 5. CONCRETE PAVEMENT STANDARD DUTY SECTION

OF PARKING STALLS
 1. ASPHALT PAVEMENT STANDARD DUTY SECTION
 2. ASPHALT PAVEMENT HEAVY DUTY SECTION
 3. CONCRETE PAVEMENT STANDARD DUTY SECTION

SCALE
 1" = 40' HORIZ.
 1" = 24' x 30" VERT. (for 24" x 30" sheet)

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 IMPERVIOUS 4.06 AC. (57.1%)

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OF PARKING STALLS
 1. ASPHALT PAVEMENT STANDARD DUTY SECTION
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 3. CONCRETE PAVEMENT STANDARD DUTY SECTION

SCALE
 1" = 40' HORIZ.
 1" = 24' x 30" VERT. (for 24" x 30" sheet)

SITE DEVELOPMENT DATA

LOTS	EXISTING ZONING	GROSS AREA (SAC)	NET AREA (SAC)	NET AREA (SAC)	NUMBER OF FLOORS	GROSS FLOOR AREA (SFT)	NET FLOOR AREA (SFT)	FAR	PARKING STALLS REQUIRED	PROVIDED
1	PMO	1.10	0.81	1.10	One-Story	21,000	21,000	0.18	17,000	185
2	PMO	2.62	0.81	2.62	One-Story	20,000	20,000	0.15	17,000	180
TRACT A	PMO	0.32	0.00	0.32	One-Story	0	0	0.00	0	0
Proposed Public SW	PMO	0.87	0.00	0.87	Public SW	0	0	0.00	0	0
TOTALS		4.91	1.62	4.91		41,000	41,000	0.17 FAV	34,000	365

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Planning & Codes Admin

DATE:	06-03-2016
NO. REVISIONS/APPROVALS:	
Prepared For City Permit Submittal	

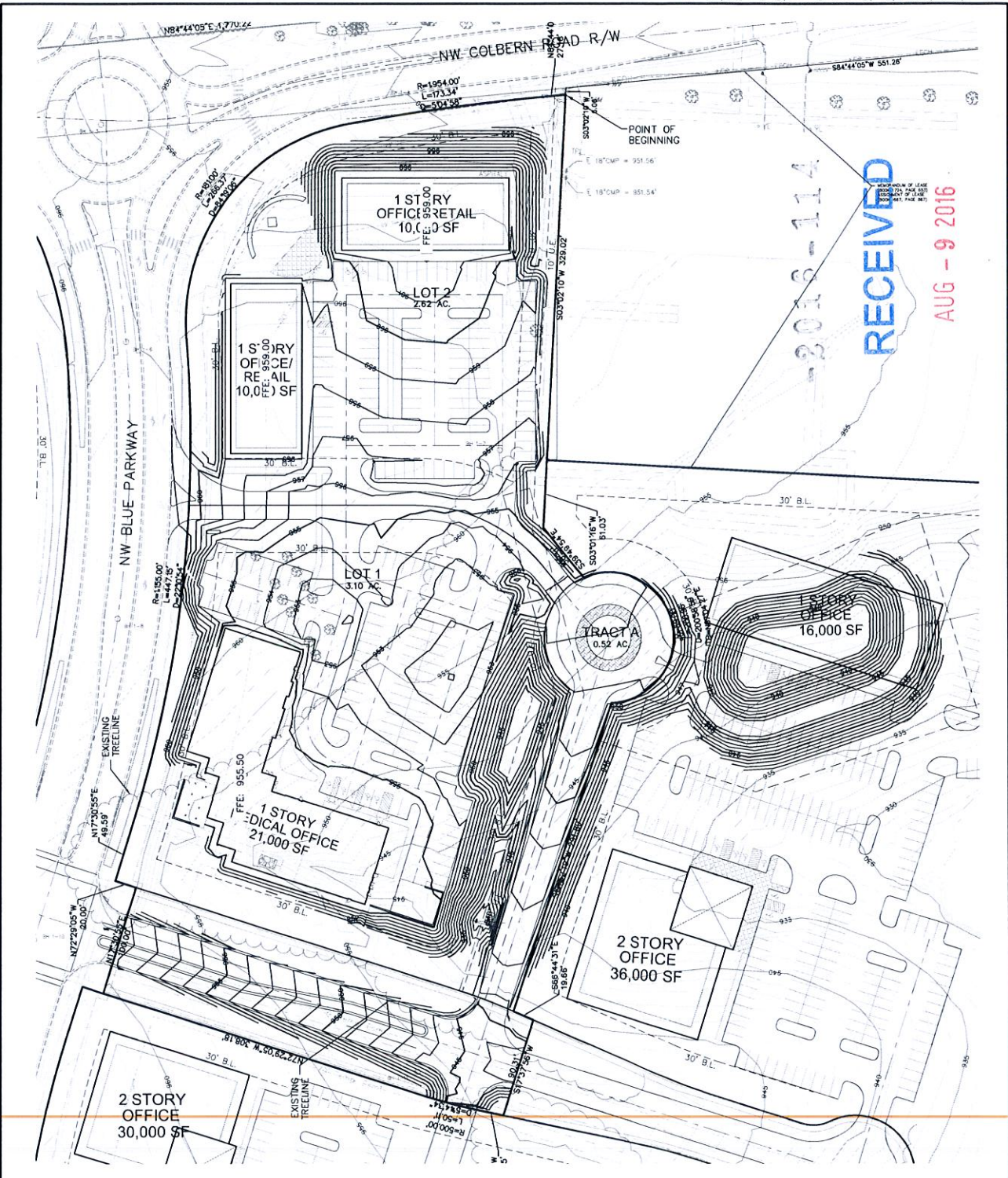
Final Checked By:	18013
LUJEN Project No.:	
Drawn By:	
Checked By:	
Reviewed By:	

NO. 2001018786
 Final Checked By: 18013
 LUJEN Project No.:
 Drawn By:
 Checked By:
 Reviewed By:



LEES SUMMIT, JACKSON COUNTY, MO
GRADING PLAN
SUMMIT VILLAGE
First Plat

Sheet No.: **C004**



2016-114
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 AUG - 9 2016

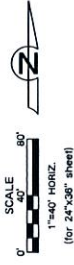
Planning & Codes Admin

- GENERAL NOTES:**
- CONTRACTOR SHALL ADHERE TO THE SPECIFICATIONS AND STANDARD SPECIFICATIONS SECTION 2100 AS ADOPTED BY THE CITY OF LEES SUMMIT (LATEST EDITION) WITHIN THE PROPOSED RIGHT-OF-WAY.
 - AREAS OF CONSTRUCTION SHALL BE STRIPPED OF ALL VEGETATION, ORGANIC MATTER AND TOPSOIL TO A MINIMUM OF 6" BELOW FINISHED GRADE. THE ENGINEER AND/OR TESTING AGENCY SHALL DETERMINE THE PORTIONS OF THE TOPSOIL STRATUM TO BE UTILIZED AS STRUCTURAL FILL WITHIN SUITABLE FILL MATERIAL BY THE GEOLOGICAL ENGINEER. MATERIAL SHALL BE REMOVED FROM THE JOB SITE BY THE CONTRACTOR AT HIS EXPENSE.
 - CONTRACTOR SHALL ADHERE TO THE SITE RECOMMENDATIONS AS CALLED OUT IN THE SPECIFICATIONS AS PROVIDED BY THE GEOLOGICAL ENGINEER.
 - ALL EMBANKMENT OUTSIDE OF RIGHT-OF-WAY SHOULD BE PLACED IN CONTROLLED LIFT-HAVING A MINIMUM OF 10% MOISTURE CONTENT. THE MATERIALS SHOULD BE COMPACTED TO A MINIMUM OF 95% OF THE MATERIAL'S MAXIMUM DRY DENSITY PRIOR TO CONSTRUCTION. MOISTURE CONTENT OF THE EMBANKMENT SHALL BE 1% TO 3% PERCENT OF OPTIMUM MOISTURE CONTENT.
 - SPECIAL INSPECTIONS SHALL BE PROVIDED FOR ALL EMBANKMENTS AND SHALL BE PERFORMED BY A LICENSED SURVEYOR WITHIN 24 HOURS AS REQUIRED BY THE CITY OF LEES SUMMIT, MISSOURI.

EARTHWORK QUANTITIES

CUT (C.Y.)	FILL (C.Y.)
21751	22041

- EARTHWORK QUANTITIES BASED ON FINISHED GRADE SURFACE AND DO NOT INCLUDE ADJUSTMENTS FOR EXISTING UTILITIES.
- EARTHWORK QUANTITIES DO NOT TAKE INTO CONSIDERATION EXCAVATION, REMOVAL AND DISPOSAL OF EXISTING UTILITIES OR THE EARTHWORK GEOLOGICAL ENGINEER'S REQUIREMENTS FOR EXCAVATION, REMOVAL AND DISPOSAL OF EXISTING UTILITIES AND FOR REPLACING IT WITH SUITABLE MATERIAL.



Sheet No.: C005

UTILITY PLAN
SUMMIT VILLAGE
First Plat
LEE'S SUMMIT, JACKSON COUNTY, MO

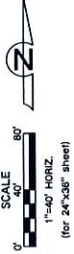


Prepared By:
Designed By:
Reviewed By:
Date:
MO 2001018786
Final Checked: A.E.

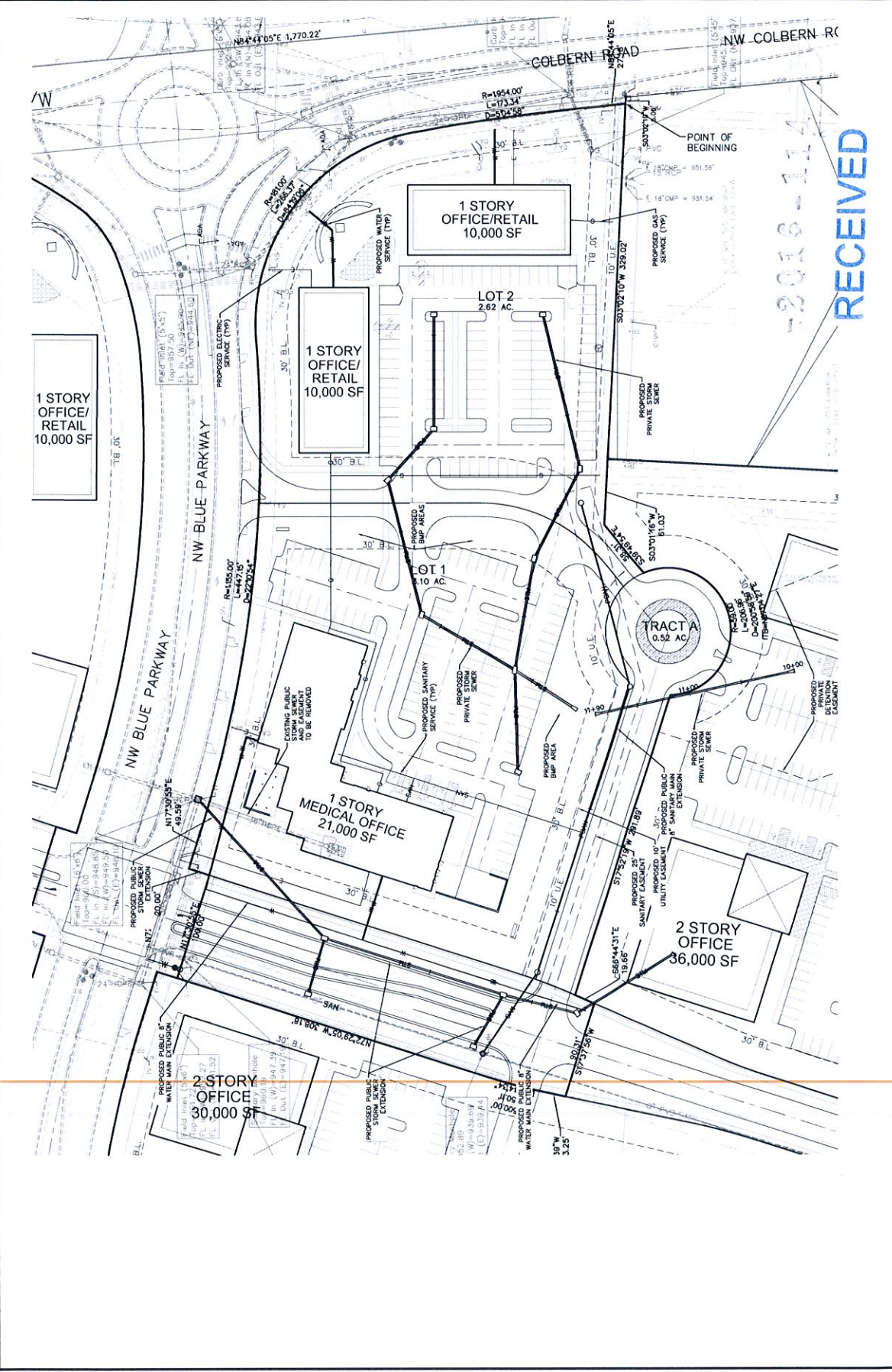
Table with columns for DATE, NO. REVISIONS/APPROVALS, and PREPARED FOR CITY PERMIT SUBMITTAL.

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Planning & Codes Admin



NO.:	REVISIONS/APPROVALS
DATE:	06-03-2016
Prepared by:	City of Summit
Checked by:	
Designed by:	
Reviewed by:	
Field Review #:	
MO#:	2001018786

NO.:	REVISIONS/APPROVALS
DATE:	06-03-2016
Prepared by:	City of Summit
Checked by:	
Designed by:	
Reviewed by:	
Field Review #:	
MO#:	2001018786

MO State Certificate of Authority # 200702824

LUTJEN

Professional Engineer
No. 10000
Exp. 12/31/2018
Civil Engineering

DETAIL SHEET

SUMMIT VILLAGE

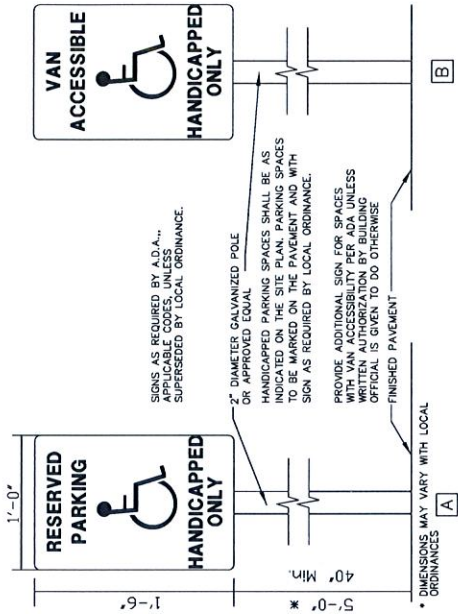
First Plat

LEES SUMMIT, JACKSON COUNTY, MO

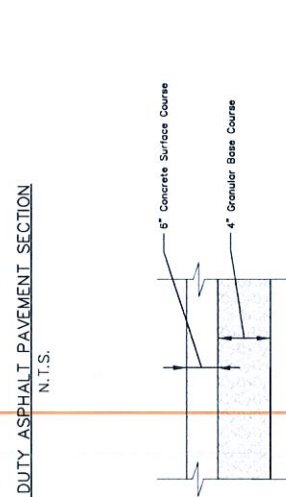
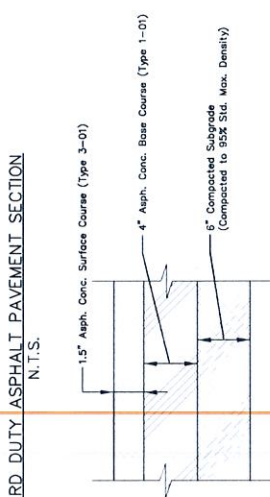
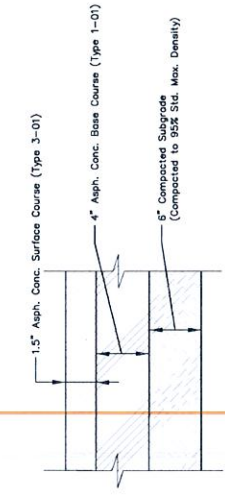
Sheet No.:

C006

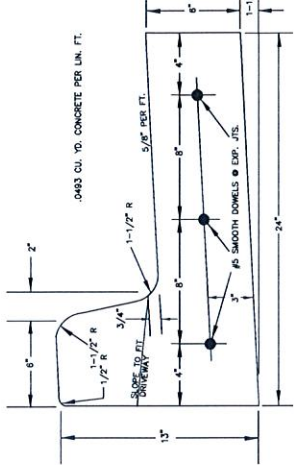
Location: I:\Projects\10102-Village\Construction Documents\Site Plans\MO11 - dwg



SIGNS AS REQUIRED BY A.D.A., APPLICABLE CODES, UNLESS SUPERSEDED BY LOCAL ORDINANCE.



Note: Pavement section specifications based on Lee's Summit UDO - Table 12-5

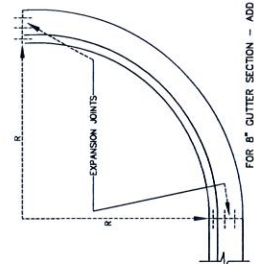


OF EXPANSION JOINT LOCATIONS

N.T.S.

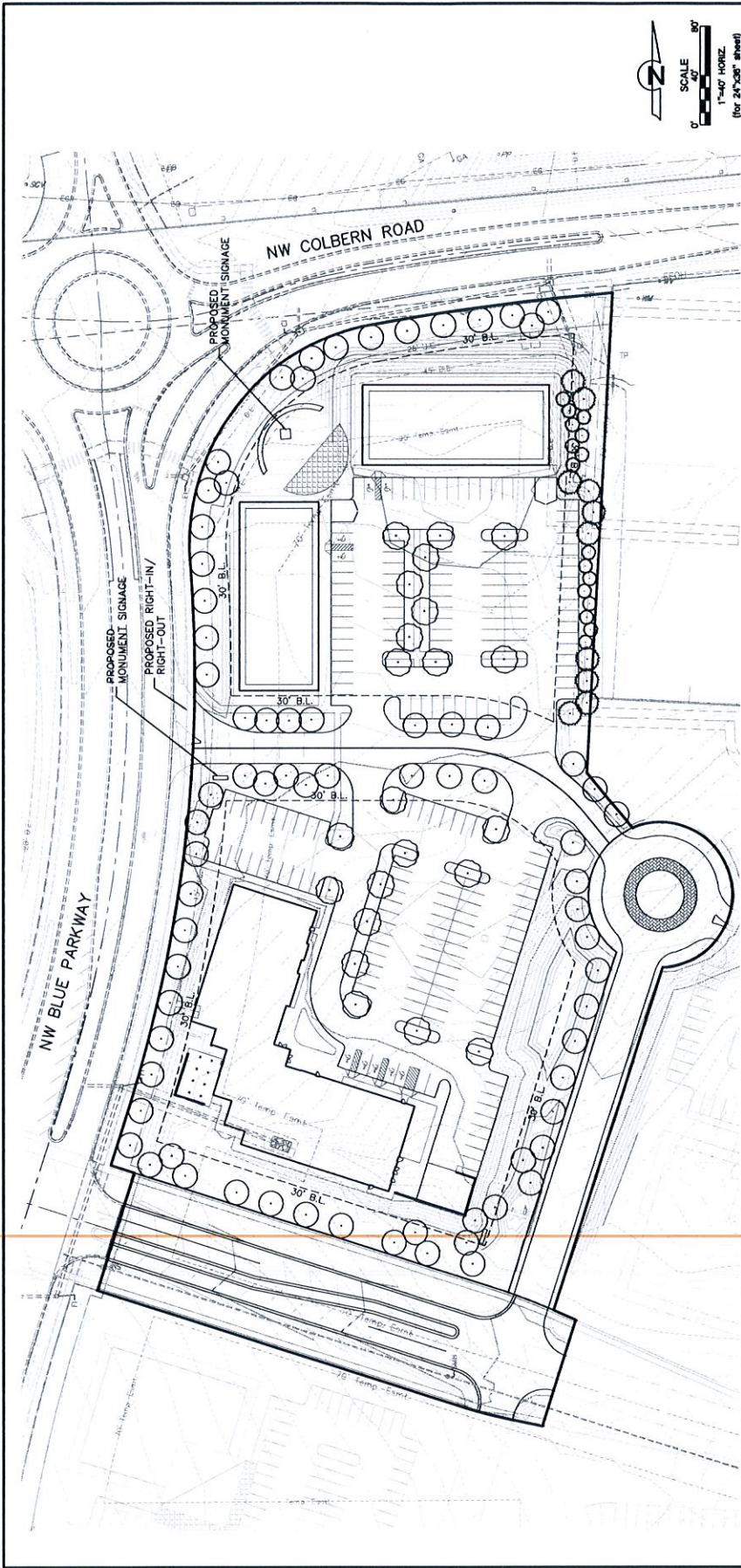
TYPE CC-1 STRAIGHT-BACK CURB & GUTTER

- 3/4" EXPANSION JOINTS WITH 2" DOWELS TO BE PLACED AT RADIUS POINTS AND AT 250' INTERVALS. THESE DOWELS SHALL BE GREASED AND WRAPPED ON ONE END WITH EXPANSION TUBES.
- 1-1/2" DEEP CONTRACTION JOINTS SHALL BE INSTALLED AT APPROXIMATELY 75' INTERVALS. THESE JOINTS SHALL PASS THROUGH THE ENTIRE CURB SECTION.
- FIX DOWELS WITH BAR CHAIRS OR EQUAL.
- WHEELCHAIR RAMPS SHALL BE CONSTRUCTED PER STANDARD DETAIL SD-17.



Aug - 9 2016

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CONCEPT PLANT SCHEDULE (for 24"x36" sheet)

PLANT SYMBOL	PLANT NAME	QUANTITY
○	SMALL TREE	100
○	MEDIUM TREE	50
○	LARGE TREE	20
○	SHRUB	200
○	PERENNIAL	1000
○	ANNUAL	500

SUMMIT VILLAGE LANDSCAPE CALCULATIONS (SEE SUMMIT, MO)

LOT NUMBER	BUILDING F'PRINT	LANDSCAPE F'PRINT	LANDSCAPE PERCENTAGE	NEW PLANTING (PER PERMANENT)	NEW PLANTING (PER TEMPORARY)	NEW PLANTING (PER PERMANENT)	NEW PLANTING (PER TEMPORARY)	NEW PLANTING (PER PERMANENT)	NEW PLANTING (PER TEMPORARY)	NEW PLANTING (PER PERMANENT)	NEW PLANTING (PER TEMPORARY)	NEW PLANTING (PER PERMANENT)	NEW PLANTING (PER TEMPORARY)	NEW PLANTING (PER PERMANENT)	NEW PLANTING (PER TEMPORARY)
1	21,000	10,500	50%	105	210	105	210	105	210	105	210	105	210	105	210
2	21,000	10,500	50%	105	210	105	210	105	210	105	210	105	210	105	210
TOTAL	42,000	21,000	50%	210	420	210	420	210	420	210	420	210	420	210	420

LANDSCAPE REQUIREMENTS DISCUSSION:
 (1) ALL PLANTING SHALL BE INSTALLED WITHIN THE PLANTING PERCENTAGE OF THE TOTAL LOT AREA.
 (2) ALL PLANTING SHALL BE INSTALLED WITHIN THE PLANTING PERCENTAGE OF THE TOTAL LOT AREA.
 (3) ALL PLANTING SHALL BE INSTALLED WITHIN THE PLANTING PERCENTAGE OF THE TOTAL LOT AREA.
 (4) ALL PLANTING SHALL BE INSTALLED WITHIN THE PLANTING PERCENTAGE OF THE TOTAL LOT AREA.
 (5) ALL PLANTING SHALL BE INSTALLED WITHIN THE PLANTING PERCENTAGE OF THE TOTAL LOT AREA.
 (6) ALL PLANTING SHALL BE INSTALLED WITHIN THE PLANTING PERCENTAGE OF THE TOTAL LOT AREA.
 (7) ALL PLANTING SHALL BE INSTALLED WITHIN THE PLANTING PERCENTAGE OF THE TOTAL LOT AREA.
 (8) ALL PLANTING SHALL BE INSTALLED WITHIN THE PLANTING PERCENTAGE OF THE TOTAL LOT AREA.
 (9) ALL PLANTING SHALL BE INSTALLED WITHIN THE PLANTING PERCENTAGE OF THE TOTAL LOT AREA.
 (10) ALL PLANTING SHALL BE INSTALLED WITHIN THE PLANTING PERCENTAGE OF THE TOTAL LOT AREA.

PLANT SPECIFICATIONS

COMMON NAME	CULT. CODE	SIZE
Small Tree	SM	10"
Medium Tree	MD	18"
Large Tree	LG	24"
Shrub	SR	6"
Perennial	PE	12"
Annual	AN	12"

RECEIVED
AUG - 9 2016

A005

DATE: 08/09/16
DRAWN BY: JVA
CHECKED BY:

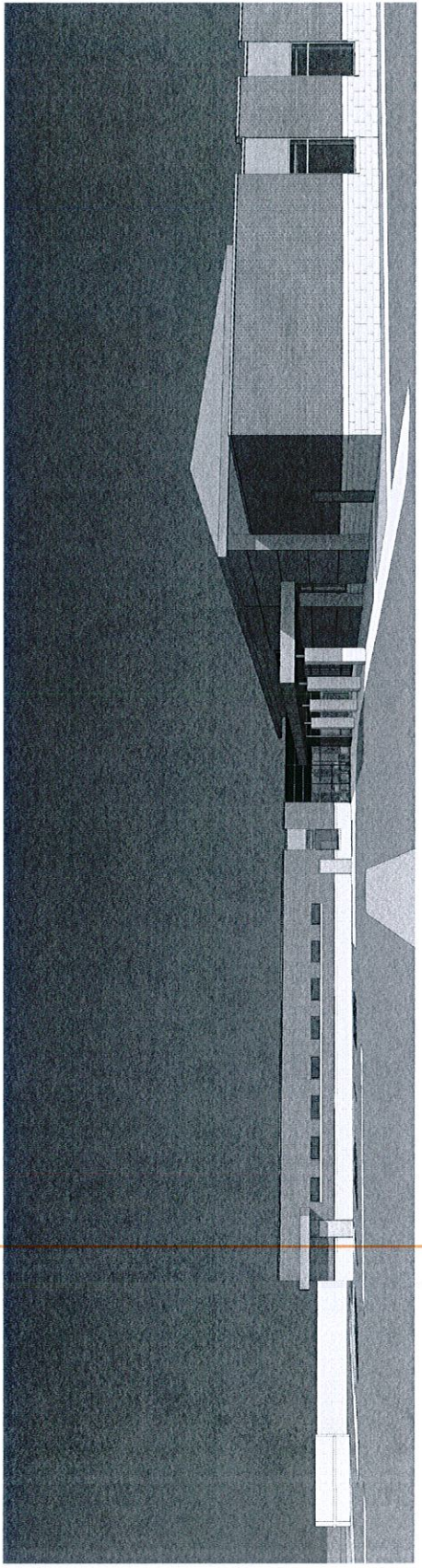
RENDERED
PERSPECTIVES

SUMMIT EYE CENTER
LEES SUMMIT, MO
EYE CLINIC AND AMBULATORY SURGERY CENTER

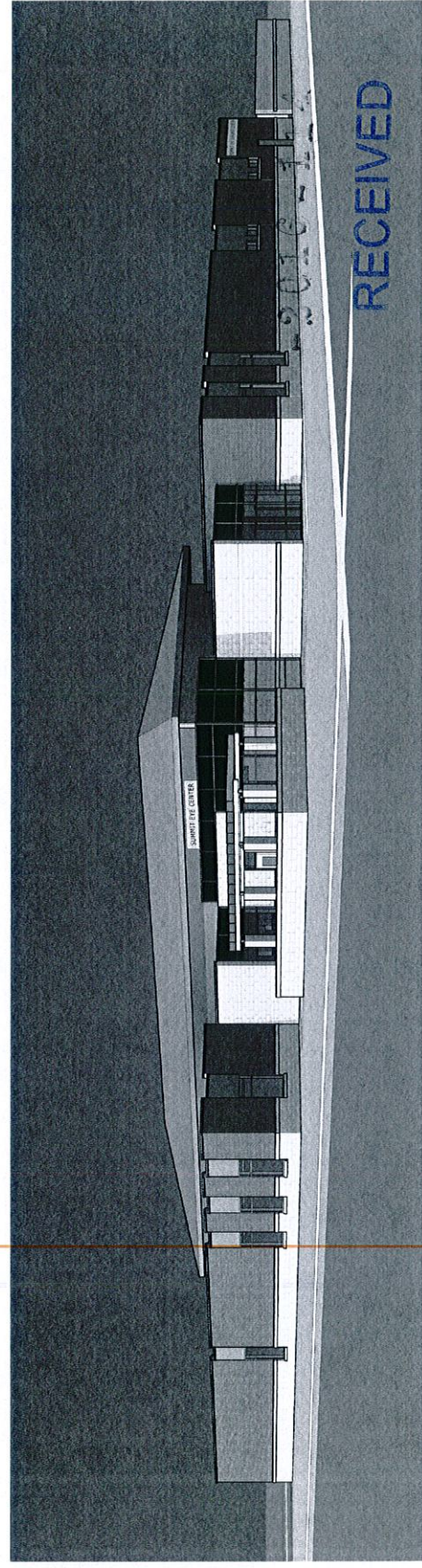
DATE	08/09/16
PROJECT	SUMMIT EYE CENTER
GROUP	DR. SAMUEL M. KOCH FOR CONSTRUCTION
LOCATION	LEES SUMMIT, MO
SCALE	AS SHOWN
DATE	08/09/16

4800 WEST OLD SHAWNEE ROAD
SUITE 500
LEES SUMMIT, MISSOURI 64081-5537
PH: 958-996-0068
WWW.SPERRIDESREINERSARCHITECTS.COM

SPERRIDES REINERS ARCHITECTS, INC.
SRA



1 NORTH EAST VIEW PRESENTATION



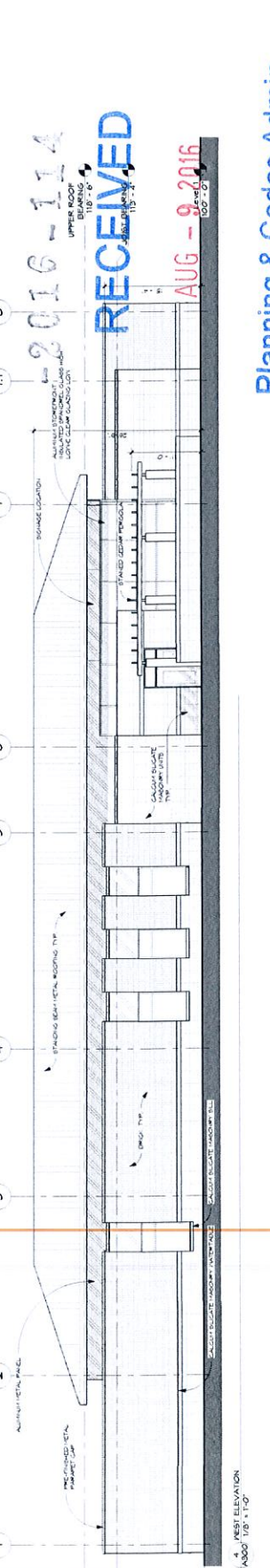
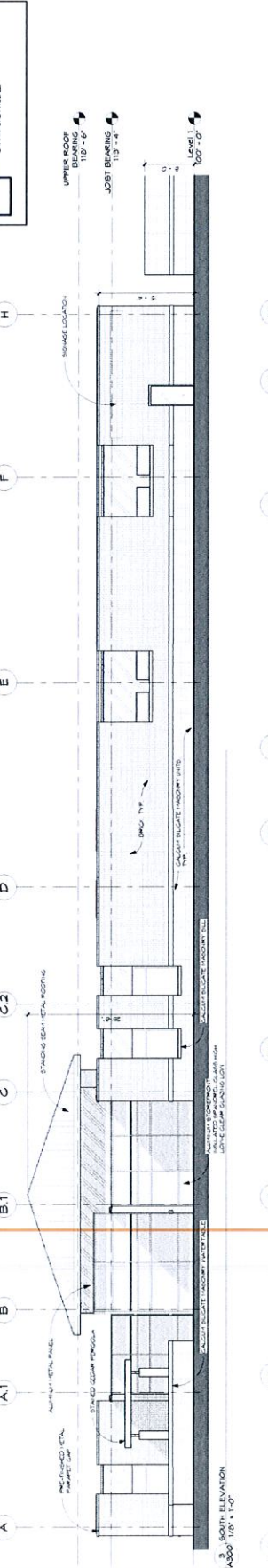
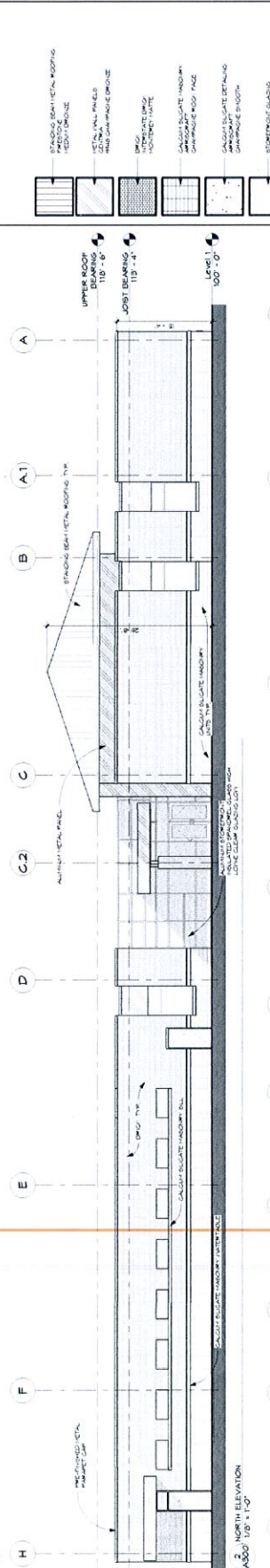
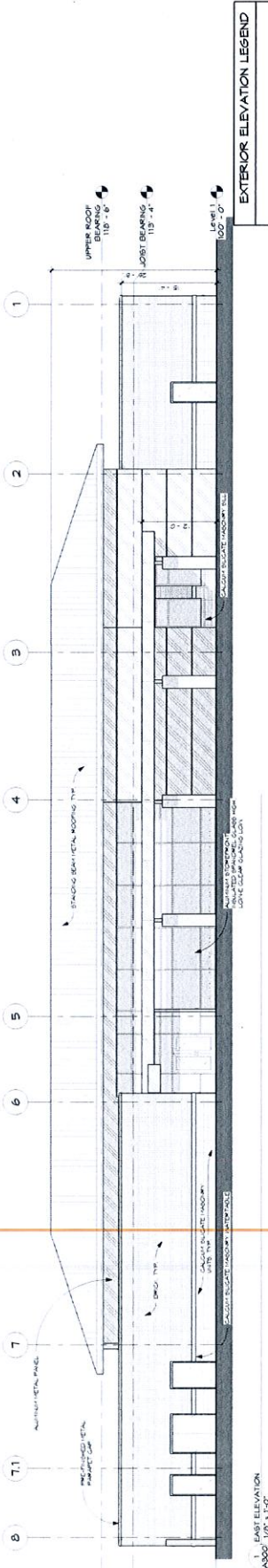
2 SOUTH WEST VIEW PRESENTATION

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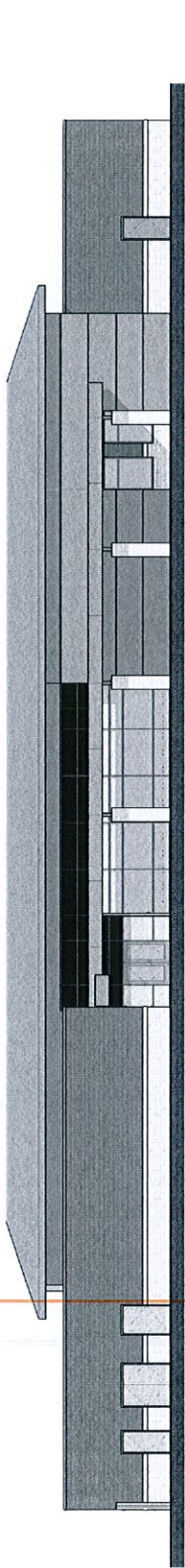
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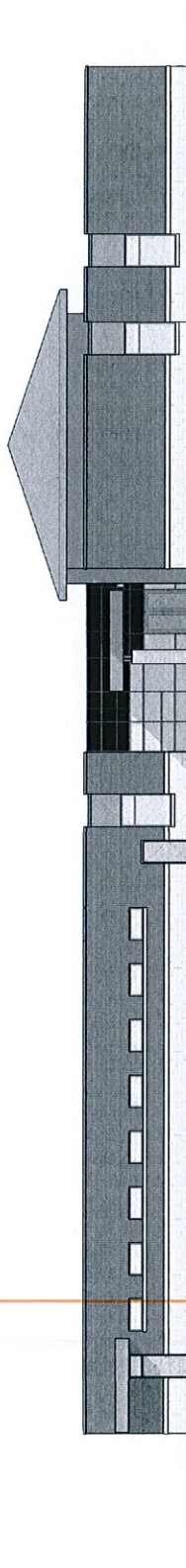
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[Pattern]	ALUMINUM METAL PANEL
[Pattern]	EMERALD METAL PANEL
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM AND GUTTER
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM AND GUTTER AND DOWNSPOUT BRIDGE
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM AND GUTTER AND DOWNSPOUT BRIDGE AND RAIN CAP
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM AND GUTTER AND DOWNSPOUT BRIDGE AND RAIN CAP AND GUTTER DETAILING
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM AND GUTTER AND DOWNSPOUT BRIDGE AND RAIN CAP AND GUTTER DETAILING AND GUTTER BRIDGE
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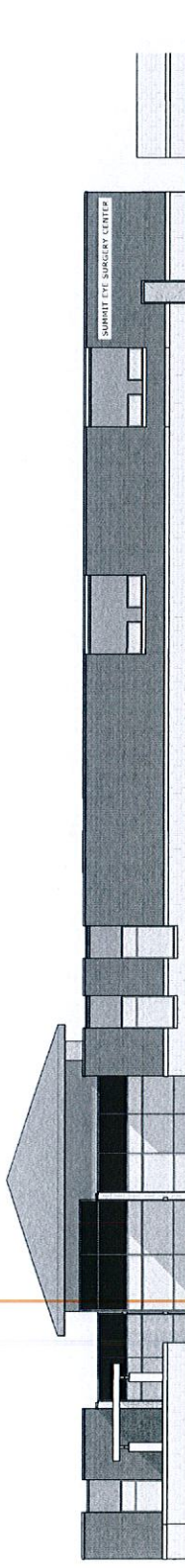
2016-114
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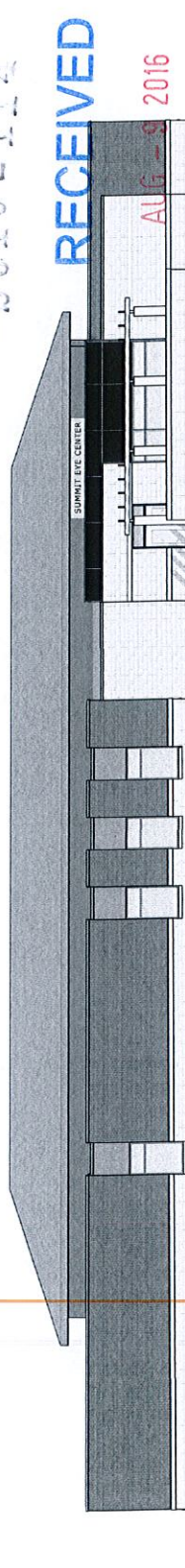
1. EAST ELEVATION PRESENTATION
1/30" 1/8" = 1'-0"



2. NORTH ELEVATION PRESENTATION
1/30" 1/8" = 1'-0"



3. SOUTH ELEVATION PRESENTATION
1/30" 1/8" = 1'-0"



4. WEST ELEVATION PRESENTATION
1/30" 1/8" = 1'-0"

-2016-114

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A301

DATE: 08/09/16
DRAWN BY: [illegible]
CHECKED BY: [illegible]

RENDERED EXTERIOR
ELEVATIONS

SUMMIT EYE CENTER
EYE CLINIC AND AMBULATORY SURGERY CENTER
LEES SUMMIT, MO

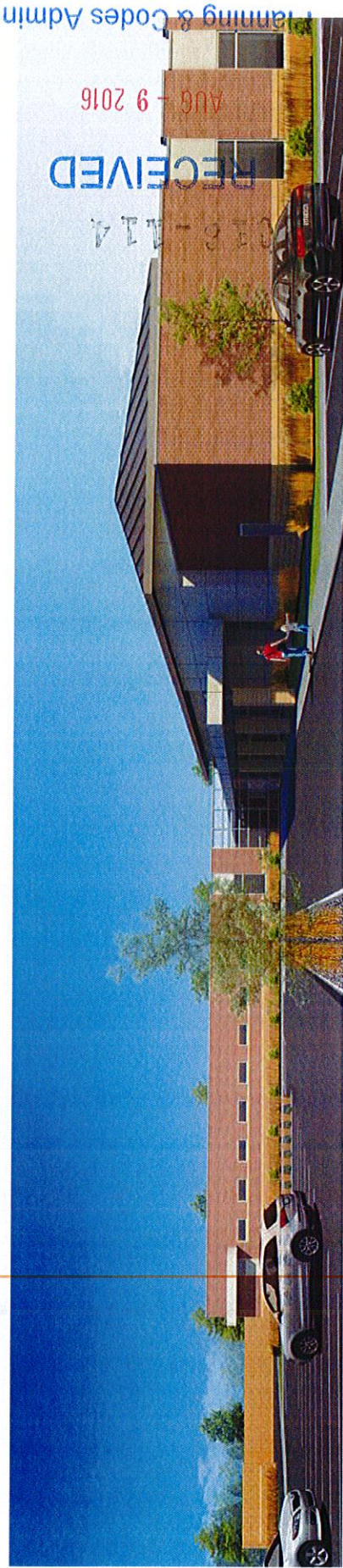
SCALE:	1/30" = 1'-0"
DATE:	08/09/16
DRAWN BY:	[illegible]
CHECKED BY:	[illegible]
PROJECT:	SUMMIT EYE CENTER
LOCATION:	LEES SUMMIT, MO
DATE:	08/09/16

THIS DOCUMENT IS A PRELIMINARY
RENDERING OF THE PROPOSED
DESIGN AND SHOULD NOT BE
USED FOR CONSTRUCTION
OR ANY OTHER PURPOSES
WITHOUT THE WRITTEN
CONSENT OF SPEER REINERS ARCHITECTS, INC.

1800 WEST OLD SHAWNEE ROAD
SUITE 200
BLOOMINGTON, MISSOURI 64307
PH: 959-999-9999
FAX: 959-999-9999
WWW.SPEARREINERS.COM

SPEAR REINERS ARCHITECTS, INC.
SRA

SUMMIT EYE CENTER
RENDERED PERSPECTIVES



INSPIRE.

CREATE.

ENDURE.

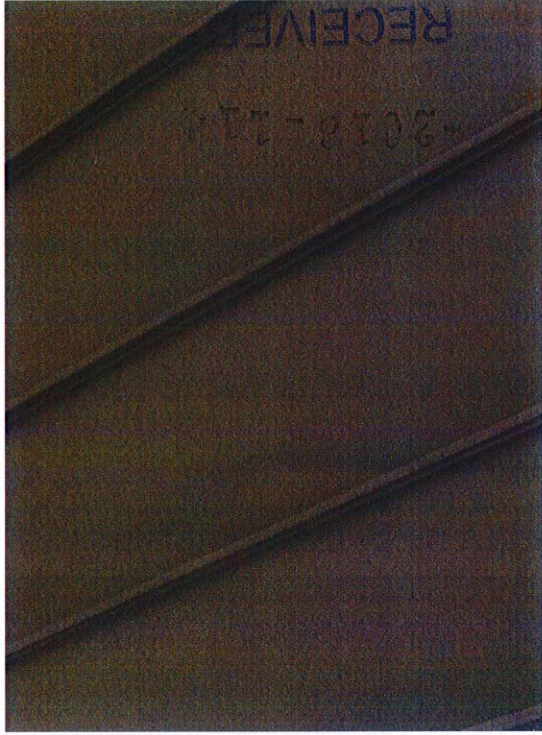
SUMMIT VILLAGE
LOT 2



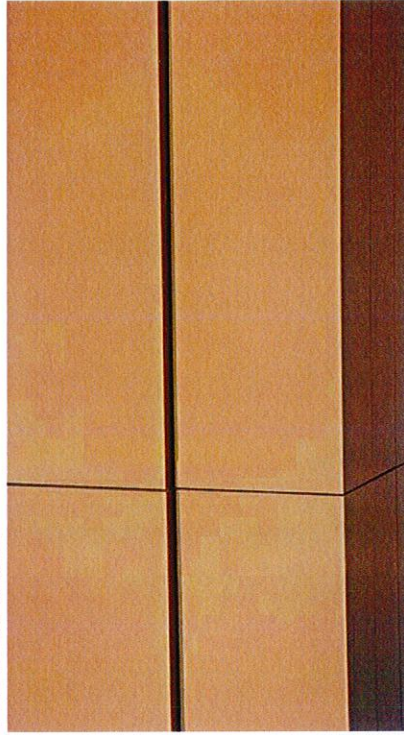
SUMMIT EYE CENTER
EXTERIOR MATERIAL
SELECTIONS

Planning & Codes Admin

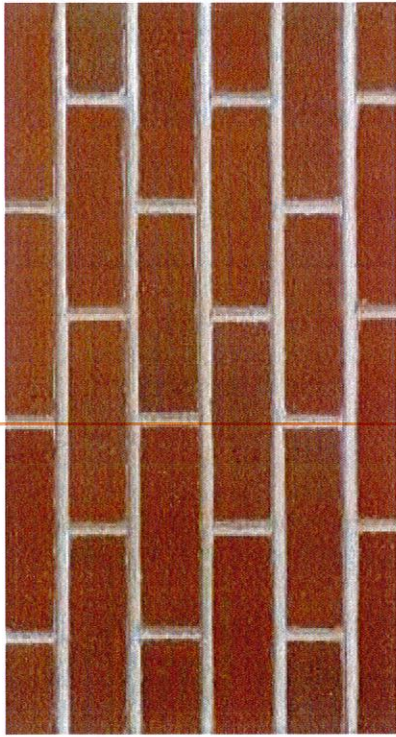
AUG - 9 2016



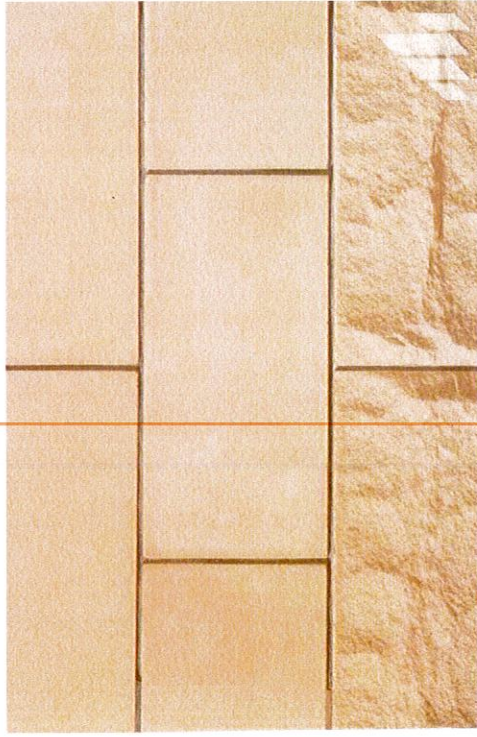
STANDING SEAM METAL ROOF
FIRESTONE
MEDIUM BRONZE



METAL WALL PANELS
CENTRIA
9948 CHAMPAGNE BRONZE



BRICK
INTERSTATE BRICK
MONTEREY MATTE

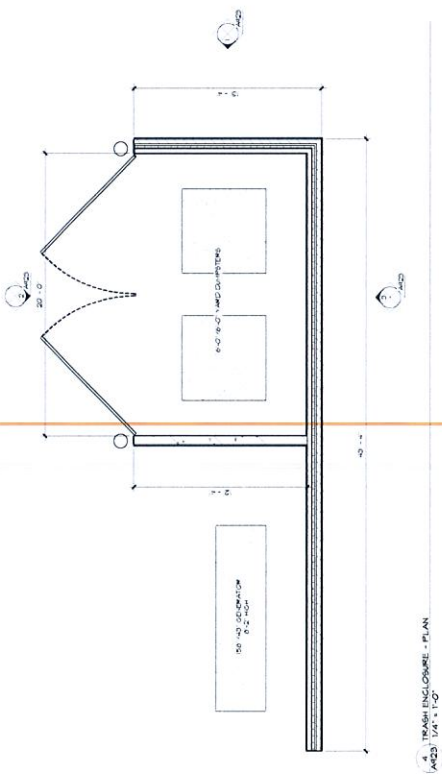


CALCIUM SILICATE MASONRY
ARRISCRAFT
CHAMPAGNE SMOOTH AND CHAMPAGNE ROCK FACE

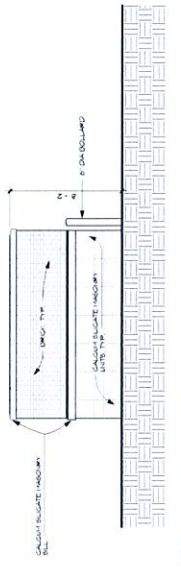
- NOT SHOWN:
- ALUMINUM STOREFRONT CHAMPAGNE ANODIZED
 - INSULATED CLEAR GLAZING
 - INSULATED SPANDREL GLAZING

INSPIRE. CREATE. ENDURE.

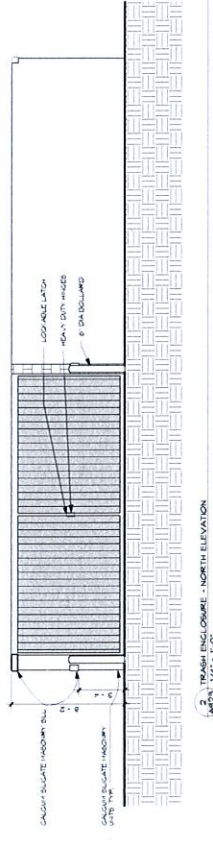
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07/20/16	FOR CONSTRUCTION	AS SHOWN



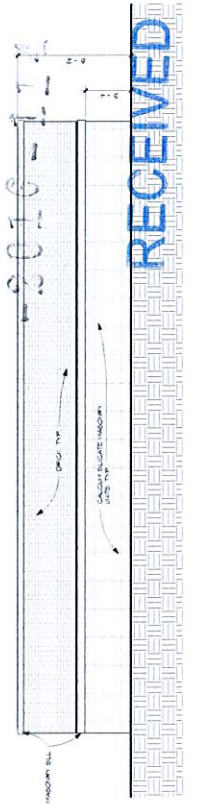
1 TRASH ENCLOSURE - PLAN
1/4" = 1'-0"



2 TRASH ENCLOSURE - EAST ELEVATION
1/4" = 1'-0"



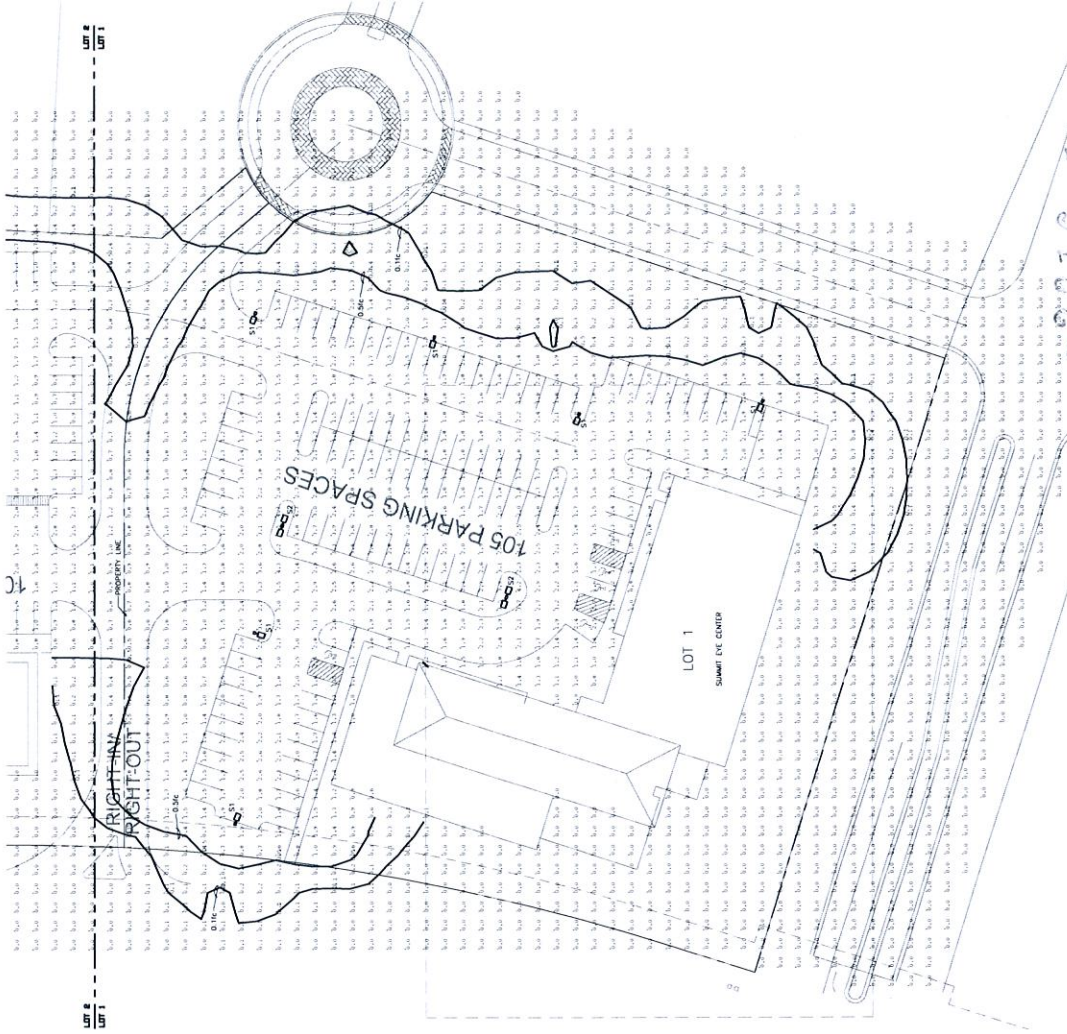
3 TRASH ENCLOSURE - NORTH ELEVATION
1/4" = 1'-0"



4 TRASH ENCLOSURE - SOUTH ELEVATION
1/4" = 1'-0"

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Calculation Summary

LOAD	UNIT TYPE	UNIT	AREA	WATTAGE	MIN	MAX	AVERAGE	MAXIMUM
Lot 1 Building Surface	FC	2.58	5.5	0.7	2.91	7.6		
Lot 2 Parking Surface	FE	1.93	4.6	0.8	3.02	7.07		

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① ELECTRICAL SITE PHOTOMETRIC PLAN
 SCALE: 1"=40'

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Planning & Codes Admin

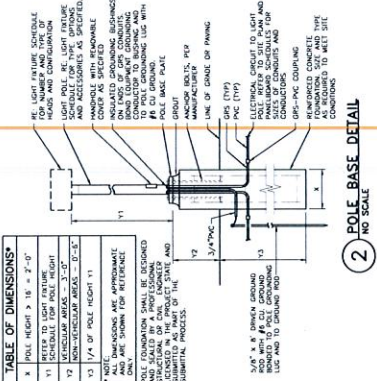


TABLE OF DIMENSIONS*

- * POLE HEIGHT > 16' = 2'-0"
- 11 REFER TO LIGHT FIXTURE DATA SHEET FOR LIGHT FIXTURE MOUNTING AND ACCESSORIES AS SPECIFIED.
- 12 NON-VITREOUS METALS SHALL BE USED FOR ALL ELECTRICAL CONTACTS AND CONNECTIONS TO THE POLE AND TO THE GROUNDING SYSTEM.
- * ALL DIMENSIONS ARE APPROXIMATE AND ARE SHOWN FOR REFERENCE ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND SUBMITTING AS PART OF THE PERMITTING PROCESS.

② POLE BASE DETAIL
 NO SCALE

LIGHT FIXTURE SCHEDULE

TYPE	MANUFACTURER	MODEL NUMBER	SIZE	WATTAGE	HEIGHT	DESCRIPTION
S1	MCDERMOTT	ELECTRONIC BALLAST	48"	215	12'	RECESSED DEPTH INTEGRAL DRIVER MOTOR FOR BALNEO TO REDUCE LIGHT LEVELS TO 100 FC. 1500 LUMENS. 3000 LUMENS. 5000 LUMENS.
S2	MCDERMOTT	ELECTRONIC BALLAST	48"	215	12'	RECESSED DEPTH INTEGRAL DRIVER MOTOR FOR BALNEO TO REDUCE LIGHT LEVELS TO 100 FC. 1500 LUMENS. 3000 LUMENS. 5000 LUMENS.
S3	WALWALKER	SW-241	14"X14"	50	12'	RECESSED DEPTH INTEGRAL DRIVER MOTOR FOR BALNEO TO REDUCE LIGHT LEVELS TO 100 FC. 1500 LUMENS. 3000 LUMENS. 5000 LUMENS.
S4	WALWALKER	SW-241	14"X14"	50	12'	RECESSED DEPTH INTEGRAL DRIVER MOTOR FOR BALNEO TO REDUCE LIGHT LEVELS TO 100 FC. 1500 LUMENS. 3000 LUMENS. 5000 LUMENS.

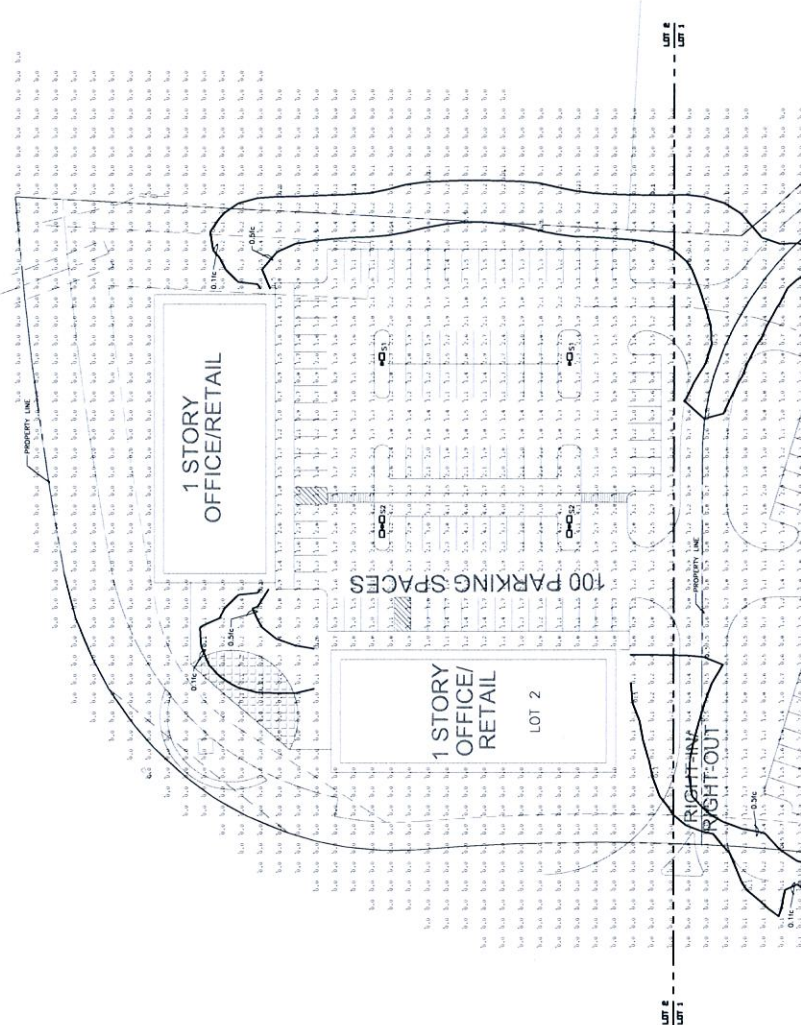
DATE	DESCRIPTION
10/15/15	ISSUED FOR PERMITS
08/15/15	ISSUED FOR PERMITS
07/15/15	ISSUED FOR PERMITS

LEES SUMMIT, MD
 EYE CLINIC AND AMBULATORY SURGERY CENTER
 SUMMIT EYE CENTER

ELECTRICAL SITE
 PHOTOMETRIC
 PLAN

DESIGNED BY: [Signature]
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

ES011



Calculation Summary						
Category	Units	Avg	Max	Min	Apex	Method
RELATIVE HUMIDITY	FC	0.56	0.57	N/A	N/A	N/A
RELATIVE HUMIDITY	FC	1.51	1.6	0.6	1.58	7.87
RELATIVE HUMIDITY	FC	1.51	1.6	0.6	1.58	7.87

1 ELECTRICAL SITE PHOTOMETRIC PLAN
 SCALE: 1"=30'

AUG - 9 2016

Planning & Codes Admin

TYPE S1, S2

McGraw-Edison

DESCRIPTION
 The GE Edison™ LED Downlight is a compact, surface-mountable, recessed downlight fixture. It is designed for use in a variety of applications, including commercial, institutional, and residential. The fixture is available in two models, S1 and S2, and is designed to be dimmable. It features a high-quality LED light source and a clear, polycarbonate lens. The fixture is easy to install and is available in a variety of finishes.

FEATURES
 • Available in two models, S1 and S2
 • Available in a variety of finishes
 • High-quality LED light source
 • Clear, polycarbonate lens
 • Easy to install

OPERATING INFORMATION
 • Input Voltage: 120V AC
 • Input Power: 15W
 • Output Power: 10W
 • Output Voltage: 120V AC
 • Output Power: 10W
 • Beam Spread: 30°

MECHANICAL DATA
 • Height: 1.5" (38mm)
 • Diameter: 4.5" (114mm)
 • Weight: 1.2 lbs (540g)

MECHANICAL DATA

Dimension	Value
Height	1.5" (38mm)
Diameter	4.5" (114mm)
Weight	1.2 lbs (540g)

FINISHES

Finish	Code
White	W
Black	B
Aluminum	A
Stainless Steel	S

ORDERING INFORMATION

PH2S - 2, 3, 21, 45, 65, 85, 105, 125, 145, 165, 185, 205, 225, 245, 265, 285, 305, 325, 345, 365, 385, 405, 425, 445, 465, 485, 505, 525, 545, 565, 585, 605, 625, 645, 665, 685, 705, 725, 745, 765, 785, 805, 825, 845, 865, 885, 905, 925, 945, 965, 985, 1005

TYPE SD1

7.5" ROUND DOWNLIGHT - HORIZONTAL LAMP

SUBMITTAL
 PH175

TYPE
 PH175 - 2, 3, 21, 45, 65, 85, 105, 125, 145, 165, 185, 205, 225, 245, 265, 285, 305, 325, 345, 365, 385, 405, 425, 445, 465, 485, 505, 525, 545, 565, 585, 605, 625, 645, 665, 685, 705, 725, 745, 765, 785, 805, 825, 845, 865, 885, 905, 925, 945, 965, 985, 1005

FEATURES

- Available in two models, S1 and S2
- Available in a variety of finishes
- High-quality LED light source
- Clear, polycarbonate lens
- Easy to install

OPERATING INFORMATION

Series	Input Voltage	Input Power	Output Power	Output Voltage	Beam Spread
PH175	120V AC	15W	10W	120V AC	30°

MECHANICAL DATA

Dimension	Value
Height	1.5" (38mm)
Diameter	7.5" (190mm)
Weight	1.2 lbs (540g)

FINISHES

Finish	Code
White	W
Black	B
Aluminum	A
Stainless Steel	S

ORDERING INFORMATION

PH175 - 2, 3, 21, 45, 65, 85, 105, 125, 145, 165, 185, 205, 225, 245, 265, 285, 305, 325, 345, 365, 385, 405, 425, 445, 465, 485, 505, 525, 545, 565, 585, 605, 625, 645, 665, 685, 705, 725, 745, 765, 785, 805, 825, 845, 865, 885, 905, 925, 945, 965, 985, 1005

NEW BUILDING REQUIREMENTS

NEW REBUILDING REQUIREMENTS

MECHANICAL DATA

Dimension	Value
Height	1.5" (38mm)
Diameter	4.5" (114mm)
Weight	1.2 lbs (540g)

FINISHES

Finish	Code
White	W
Black	B
Aluminum	A
Stainless Steel	S

ORDERING INFORMATION

PH175 - 2, 3, 21, 45, 65, 85, 105, 125, 145, 165, 185, 205, 225, 245, 265, 285, 305, 325, 345, 365, 385, 405, 425, 445, 465, 485, 505, 525, 545, 565, 585, 605, 625, 645, 665, 685, 705, 725, 745, 765, 785, 805, 825, 845, 865, 885, 905, 925, 945, 965, 985, 1005

TYPE SW1

100 Line

MECHANICAL DATA

Dimension	Value
Height	1.5" (38mm)
Diameter	4.5" (114mm)
Weight	1.2 lbs (540g)

FINISHES

Finish	Code
White	W
Black	B
Aluminum	A
Stainless Steel	S

ORDERING INFORMATION

PH175 - 2, 3, 21, 45, 65, 85, 105, 125, 145, 165, 185, 205, 225, 245, 265, 285, 305, 325, 345, 365, 385, 405, 425, 445, 465, 485, 505, 525, 545, 565, 585, 605, 625, 645, 665, 685, 705, 725, 745, 765, 785, 805, 825, 845, 865, 885, 905, 925, 945, 965, 985, 1005

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TYPE SW1

100 Line

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Diameter	4.5" (114mm)
Weight	1.2 lbs (540g)

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Stainless Steel	S

ORDERING INFORMATION

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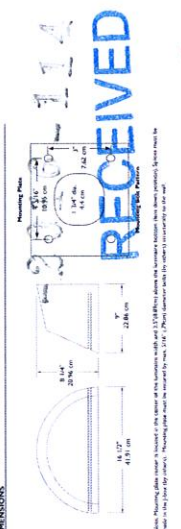
HENDERSON ENGINEERS
 1575 W. 14TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 TEL: 303.733.4400 FAX: 303.733.4401
 WWW.HENDERSONENGINEERS.COM

DATE	DESCRIPTION
10/12/16	ISSUE FOR PERMIT
09/15/16	ISSUE FOR PERMIT
08/18/16	ISSUE FOR PERMIT
07/15/16	ISSUE FOR PERMIT
06/15/16	ISSUE FOR PERMIT
05/15/16	ISSUE FOR PERMIT
04/15/16	ISSUE FOR PERMIT
03/15/16	ISSUE FOR PERMIT
02/15/16	ISSUE FOR PERMIT
01/15/16	ISSUE FOR PERMIT

SUMMIT EYE CENTER
 EYE CLINIC AND AMBULATORY SURGERY CENTER
 EES SUMMIT, MO

ELECTRICAL SITE LIGHT
 FIXTURE CUT SHEETS

DATE: 10/12/16
 DRAWN BY: JMM
 CHECKED BY: JMM
ES020



RECEIVED

AUG - 9 2016

PHILIPS
GARDCO
 Planning & Codes Admin

1811 Cedar Bluff Road, Suite 300, Brentwood, TN 37027
 615.875.8800 FAX 615.875.8808
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AUG 16 2016

August 16, 2016

Planning & Codes Admin

Dawn Bell, Project Manager
City of Lee's Summit
Planning & Development Department
220 SE Green Street
Lee's Summit, MO 64063

RE: Summit Village First Plat
Commercial Preliminary Development Plan Applicant's Letter
Application Number: PL2016114

Dear Planning Staff of Lee's Summit:

We thank you for this opportunity to submit a request for modification from the City code, for the proposed high impact screening buffer.

The specified code is 14.200 Required Typical Impact Screens – High Impact Screening. We have discussed with City Staff and our proposal is to provide medium impact screening with a minimum 10' wide buffer yard. Due to site constraints, there is difficulty meeting the minimum 20' wide buffer yard requirement of the high impact screening. There would also be a tangible cost impact on constructing a masonry wall or vinyl fence for high impact screening along the entire length of the eastern edge of the proposed parking lot on Lot 2. To offset this request to reduce the 20' wide buffer yard and wall/fence requirement, we will provide screening per the medium impact screening requirements, as well as additional screening in the form of vinyl fencing to be located on Lot 2, between Summit Village and the east property line, along the northern open portion of the Unity Village Apartments' parking lot.

Thank you for your assistance. Should you have questions or need additional information please call our office.

Sincerely,

LUTJEN, INC.

Scott Cargill
Project Manager

Enclosures

L:\Projects\15087-01\Documents\Correspondence\Outgoing\Municipality\16-08-01_FDP&FP Response Letter.doc

1301 Burlington, Suite 100
North Kansas City, MO 64116
TEL 816.587.4320
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Packet Information

File #: 2017-0972, **Version:** 1

CONTINUED PUBLIC HEARING - Appl. #PL2016-219 - REZONING from AG to R-1 and PRELIMINARY DEVELOPMENT PLAN - Whispering Woods, approximately 76 acres generally located at the northeast corner of SW Pryor Road and SW Hook Road; Whispering Woods Land, LLC, applicant.

Issue/Request:

The applicant proposes to rezone approximately 76 acres located at the northeast corner of SW Pryor Rd and SW Hook Rd from AG (Agricultural) to R-1 (Single-Family Residential). The property is immediately north of Hawthorne Hill Elementary School and west of Lee's Summit West High School. The proposed *Whispering Woods* subdivision will be a six-phase single-family residential development composed of 164 lots and 15 common area tracts.

The subject application also includes a preliminary development plan. Preliminary development plans typically do not accompany rezoning applications for R-1 zoning. However, the applicant is requesting one modification to the UDO which can only be granted as part of a preliminary development plan application. A modification is requested to the R-1 minimum rear setback requirement of 30-feet to allow a 20-foot rear setback for Lots 129-144. Staff supports the requested modification.

Phase 1 and 2 of this development proposes a total of sixty-eight (68) lots with one (1) point of ingress to and egress from the subdivision. However, no more than fifty (50) building permits shall be issued until such time as SW 26th Terrace is constructed between SW Pryor Rd. and SW River Run Dr. to an acceptable City Standard, and thereby providing a second point of access to SW Pryor Rd.

The traffic improvements required for this development include the construction of multiple turn-lanes along SW Pryor Road at the proposed intersections of SW River Run Drive and SW 26th Terrace. In addition, a temporary traffic signal at the intersection of SW Pryor Road and SW Scherer Road will be required in the later phases of this development. A Development Agreement shall be required to address the off-site road improvements identified within the traffic study and the off-site sanitary sewer and water needs.

- 1 164 lots and 15 common area tracts on 76 acres
- 2 2.15 units/acre including common area - 4 units/acre maximum permitted
- 3 2.90 units/acre excluding common area

Proposed City Council Motion:

I move to direct staff to present an ordinance approving Application #PL2016-219 - REZONING from AG to R-1 and PRELIMINARY DEVELOPMENT PLAN - Whispering Woods, approximately 76 acres generally located at the northeast corner of SW Pryor Road and SW Hook Road; Whispering Woods Land, LLC, applicant.

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

1. A modification shall be granted to the R-1 minimum rear setback requirement of 30 feet, to allow a 20-foot rear setback for Lots 129-144.
2. A total of sixty-eight (68) lots may be platted within Phase 1 and 2. However, no more than fifty (50)

building permits shall be issued until such time as SW 26th Terrace is constructed between SW Pryor Rd. and SW River Run Dr. to a standard acceptable to the Fire Department, all in compliance with the Fire Code and Unified Development Ordinance regulations requiring a second point of access for developments in excess of fifty (50) single family homes.

3. Development shall be in accordance with the preliminary development plan, date stamped February 5, 2017.
4. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the required off-site sanitary sewer, and waterline improvements, and off-site transportation improvements listed in the TIA, dated February 7, 2017. No infrastructure permit shall be issued in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office. All public improvements shall be substantially complete prior to issuance of any building permit.

Planning Commission Action: On motion of Mr. Delibero and seconded by Mr. Rader, the Planning Commission voted four "yes" (Mr. Funk, Mr. Norbury, Mr. Rader and Mr. Gustafson); three "no" (Mr. Lopez, Ms. Roberts and Mr. DeMoro) and one "abstain" (Mr. Delibero) by voice vote to **APPROVE Appl. #PL2016-219 - REZONING from AG to R-1 and PRELIMINARY DEVELOPMENT PLAN** - Whispering Woods, approximately 76 acres generally located at the northeast corner of SW Pryor Rd and SW Hook Rd; Whispering Woods Land, LLC, applicant, subject to staff's letter, dated February 10, 2017, recommendation items 1-4.

LEE'S SUMMIT PLANNING COMMISSION

Minutes of Tuesday, February 14, 2017

The Tuesday, February 14, 2017, Lee's Summit Planning Commission meeting was called to order by Chairperson Norbury at 5:00 p.m., at City Council Chambers, 220 SE Green Street, Lee's Summit, Missouri.

OPENING ROLL CALL:

Chairperson Jason Norbury	Present	Mr. Herman Watson	Absent
Mr. Fred Delibero	Present	Mr. Beto Lopez	Present
Mr. Donnie Funk	Present	Ms. Colene Roberts	Present
Mr. Fred DeMoro	Present	Mr. Brandon Rader	Present
Mr. Don Gustafson	Present		

Also present were: Hector Soto, Jr., Planning Division Manager; Jennifer Thompson, Staff Planner; Ryan Elam, Director of Development Center; Dawn Bell, Project Manager; Michael Weisenborn, Project Manager; Shannon McGuire, Staff Planner; Victoria Nelson, Staff Planner; Robert McKay, Director of Planning and Special Projects; Kent Monter, Development Engineering Manager; Michael Park, City Traffic Engineer; Nancy Yendes, Law; Jeanne Nixon, Secretary; Jim Eden, Assistant Fire Chief II.

1. APPROVAL OF CONSENT AGENDA

- A. **Application #PL2017-020 - SIGN APPLICATION** -- The Aspen Room at the Stanley; 308 SE Douglas St., Bryan King, applicant.
- B. **Minutes** of the January 24, 2017 Planning Commission meeting

On the motion of Mr. Delibero, seconded by Ms. Roberts, the Planning Commission voted unanimously by voice vote to **APPROVE** the Consent Agenda, Item 1A-B as published.

APPROVAL OF AGENDA:

Chairperson Norbury announced that there were no changes to the agenda, and asked for a motion to approve. On the motion of Mr. Delibero, seconded by Ms. Roberts, the Planning Commission voted unanimously by voice vote to **APPROVE** the agenda as published.

2. Continued Application #PL2016-185 - SPECIAL USE PERMIT renewal for a telecommunication tower - 2750 NW Clifford Rd; American Tower Asset Sub, LLC, applicant

Chairperson Norbury opened the hearing at 5:02 p.m. and stated that Application PL2016-185 was being continued to a date certain of February 28, 2017, to provide for proper notification. He asked for a motion to approve.

Mr. Funk made a motion to continue Application PL2016-185 to a date certain of February 28, 2017. Ms. Roberts seconded.

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

On the motion of Mr. Funk, seconded by Ms. Roberts, the Planning Commission members voted unanimously by voice vote to **CONTINUE** Application PL2016-185 to a date certain of February 28, 2017, to provide for proper notification.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

3. Application #PL2016-190 - SPECIAL USE PERMIT renewal for telecommunication towers - 2140 NW Lowenstein Dr; American Tower Asset Sub II, LLC, applicant

Chairperson Norbury opened the hearing at 5:03 p.m. and stated that Application PL2016-190 was being continued to a date certain of February 28, 2017, to provide for proper notification. He asked for a motion to approve.

Mr. Funk made a motion to continue Application PL2016-190 to a date certain of February 28, 2017. Ms. Roberts seconded.

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

On the motion of Mr. Funk, seconded by Ms. Roberts, the Planning Commission members voted unanimously by voice vote to **CONTINUE** Application PL2016-190 to a date certain of February 28, 2017, to provide for proper notification.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

4. Continued Application #PL2016-209 - REZONING from R-1 & CP-2 to PMIX and PRELIMINARY DEVELOPMENT PLAN - Pryor Lakes, approximately 32 acres located at the northwest corner of NW Chipman Rd and NW Pryor Rd; Christie Development Association, LLC, applicant

Chairperson Norbury opened the hearing at 5:04 p.m. and stated that Application PL2016-209 was being continued to a date certain of February 28, 2017, at the applicant's request. He asked for a motion to approve.

Mr. Funk made a motion to continue Application PL2016-209 to a date certain of February 28, 2017. Ms. Roberts seconded.

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

On the motion of Mr. Funk, seconded by Ms. Roberts, the Planning Commission members voted unanimously by voice vote to **CONTINUE** Application PL2016-209 to a date certain of February 28, 2017.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

5. Continued Application #PL2016-219 - REZONING from AG to R-1 and PRELIMINARY DEVELOPMENT PLAN - Whispering Woods, approximately 76 acres generally located at the northeast corner of SW Pryor Rd and SW Hook Rd; Whispering Woods Land, LLC, applicant

Chairperson Norbury opened the hearing at 5:05 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Brian Glenn of Phoenix Engineering gave his address as 3855 S. Northern Boulevard in Independence. He described the project as a 76-acre subdivision located on Pryor Road north of Hook Road. The 164 lots would be developed in six phases. Displaying a copy of the preliminary development plan, Mr. Glenn pointed out the proposed connection to Lee's Summit West to the east, with a walking trail continuing west to the proposed street, at the southeast corner of the property. The walking route would continue down to the Hawthorne Hill Elementary School via a sidewalk; while the walking trail would continue to Mouse Creek and Pryor Road. The project included about 19 acres of open space, which would reduce the average density. They were requesting a modification to allow a 20-foot setback for the lower tier of lots, instead of the required 30-foot setback. These were adjacent to the park trail, so the proposed setback plus the 20-foot dedication for the park would effectively create a 40-foot separation.

The first phase would be at the southwest part of the development. Due to the separation between the school entrance, they proposed to close the northern entrance; incorporating it into the development's entrance and parking lot. Phase 1 would continue up the east bank of Mouse Creek; and Phase 2 could go east from there. During these stages, the applicant would be applying for a Conditional Letter of Map Revisions for approval from FEMA. Following approval for Phase 2 construction, they would be working on the box culvert and connection off Pryor Road. Within that phase they would go back to FEMA for another map revision letter before starting Phase 3.

Chairperson Norbury noted that staff's letter included four Recommendation Items, and asked Mr. Glenn if the applicant agreed and was prepared to comply with them. Mr. Glenn answered that they did. None of the items was a surprise, and they'd had discussions with staff.

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

Ms. Thompson entered Exhibit (A), list of exhibits 1-19 into the record. She confirmed that the rezoning from AG to R-1 was for about 76 acres for the proposed Whispering Woods

subdivision. It was located west of Lee's Summit West high school and north of Hawthorne Hill Elementary School. The 164 lots would be developed in six phases. This proposed use was consistent with the Comprehensive Plan and compatible with the other neighboring subdivisions to the north and northwest. Staff recommended approval of the rezoning and preliminary development plan, subject to four Recommendation Items. The first addressed the modification request that Mr. Glenn had described, and would apply to Lots 129 through 144. Ms. Thompson confirmed Mr. Glenn's explanation. The walking trail was located in a 20-track along the rear property line, and provided a 40-foot visual separation between the backs of these lots' homes and the plat boundary. Recommendation Item 2 allowed for Phases 1 and 2 to have a total of 68 platted lots, with only one point of access to and from the subdivision. Staff had added a condition that no more than 50 building permits be issued *"until such time as SW 26th Terrace is constructed between SW Pryor Road and SW River Run Drive."* This would provide a second access. Recommendation Item 3 confirmed that the development would be done in accordance with the preliminary development plan; and Item 4 addressed a development agreement regarding sanitary sewer and water line improvements and off-site transportation improvements listed in the Traffic Impact Analysis.

Following Ms. Thompson's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. As there were none, Chairperson Norbury then opened the hearing for questions from the Commission for the applicant or staff.

Ms. Roberts noted that the Comprehensive Plan showed a portion of this area as being commercial use, including the property across the street. Ms. Thompson confirmed that part of this area was designated commercial-dominant mixed use. It basically formed a circle around the intersection, with a small part extending up into the southern portion of the property. Ms. Roberts asked about the parcel across the street zoned CP-1 and Ms. Thompson believed that this was previously rezoned during another development application. The applicants had needed to provide some commercial uses in that area, and the compromise was to switch some zoning. There were no pending commercial applications for that property. Ms. Roberts then asked what was the maximum density for R-1 zoning, and Ms. Thompson replied that it was four units per acre.

Mr. Delibero asked what the ordinance specified about lot depths that were transitional, such as lots 131-143, that backed up to acreage properties. He noted that those lots were only 110 feet deep. Ms. Thompson replied that they met the City's requirements for lot dimension; and these lots in particular were the ones with the extra space in the back from of the land used for the trail. The lots had been shortened but had extra space for separation in the back.

Mr. Delibero asked Mr. Glenn if the applicant had held a neighborhood meeting. Mr. Glenn replied that they had not, although they had complied with the notification requirements. There had been no discussion with the owners of the adjacent property that he knew of. Mr. Delibero then asked for some information about the sizes of the homes, and Mr. Glenn answered that he did not have any specific dimensions. However, they would be consistent with those at Eagle Creek, a range of about 1,800 to 2,000 square feet. Mr. Delibero asked if he had done any declarations or notice about the minimum square footage for each type of housing; and Mr. Glenn answered that he had not. Home prices would start at \$350,000.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:20 p.m. and asked for discussion among the Commission members.

Ms. Roberts was concerned about Lee's Summit having too much of this type of housing. Reports from MARC analyzing demographic changes, preferences and market trends in this region showed demand decreasing enough to raise a question as to whether existing housing stock could all be sold. Buyers for this kind of 'peak' housing would be in the 35-64 age range, having graduated from 'starter' homes and but still years from downsizing; and the Lee's Summit market was overrun with that kind of housing. It did not have the demographics to support more of that type of housing, while at the same time more people were wanting walkability in their environment and there was an increasing need for homes more suitable for one or two people. The number of single-person households was expected to triple by 2040, while the number of households with children would decrease; so Lee's Summit had an inventory of housing that would become more obsolete as demand for this type of housing decreased.

At present, the demand for rental housing was going up and so it was likely that a high percentage of Lee's Summit's single-family homes would become rental properties. In short, if nothing changed in what was being marketed the market would correct itself and meet whatever demand was there. At the same time, the number of multi-generational households was increasing; and the existing style of single-family homes with a master bedroom and smaller bedrooms did not suit a scenario for more than one adult generation sharing a home. Moreover, as much as one-third of people looking for homes considered walkability a major factor but a much smaller percentage of Lee's Summit's housing stock could be considered walkable. Even if everything built in Lee's Summit over the next few decades was walkable, the demand would still be higher than the supply. Ms. Roberts commented that she had mentioned housing demands before and had felt some pressure to continue to endorse doing things as they had always been done in the past. This particular project was not a new plat in an existing subdivision. It was not only a new project but was also located between two schools and part had been designated as commercial. This was a site that could meet that walkability demand and the plan did include the walking trail; however, it was the same type of housing that had been in demand by past generations but had a questionable future. She was basically looking for more compact development and housing that would meet Lee's Summit's future needs; and the Commission needed to figure out how to get developers to bring in plans consistent with those needs.

Mr. Delibero agreed with Ms. Roberts' concerns, adding that the City might need to take another look at the UDO and what the City required of developers. At present, the maximum density for the traditional type single-family residential was four units per acre; and developers often had to resort to the more complicated PMIX designation for any higher density. He was rather surprised that the nearby acreage owners had not given any feedback.

Chairperson Norbury asked if the issues Ms. Roberts had brought up were something the Commission would want staff to look at. Mr. Delibero said he was in favor of having further discussions, and Chairperson Norbury commented that Lee's Summit still had some open land and this would be a very difficult push. However, the Commission was the group that should be bringing such issues forward.

Ms. Roberts pointed out that the Commission was making a decision tonight whether to rezone from AG to R-1. Regardless of what changes could be made to the UDO, if the zoning on this property was changed to R-1 the maximum density would be four units per acre and while the plan showed a somewhat higher density, the lack of any commercial development meant that this development would be as un-walkable as any. She added that just putting in sidewalks did not create walkability, as there would be no destination. Ms. Roberts did approve of the trails which allowed children to walk to school; but again, there were now fewer households with children as that scenario was now at about 25%.

Hearing no further discussion, Chairperson Norbury called for a motion. No one made a motion, and Ms. Heanue noted that there had to be one, even if it was a tied vote.

Mr. Delibero made a motion to recommend approval of Application PL2016-219, Rezoning from AG to R-1 and Preliminary Development Plan: Whispering Woods, approximately 76 acres generally located at the northeast corner of SW Pryor Rd and SW Hook Rd; Whispering Woods Land, LLC, applicant; subject to staff's letter of February 10, 2017, specifically Recommendation Items 1 through 4. Mr. Funk seconded.

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

On the motion of Mr Delibero, seconded by Mr. Rader, the Planning Commission members voted by roll call vote of four "yes" (Chairperson Norbury, Mr. Rader, Mr. Gustafson and Mr. Funk), three "no" (Ms. Roberts, Mr. Lopez and Mr. DeMoro) and one "abstain" (Mr. Delibero) to recommend **APPROVAL** of Application PL2016-219, Rezoning from AG to R-1 and Preliminary Development Plan: Whispering Woods, approximately 76 acres generally located at the northeast corner of SW Pryor Rd and SW Hook Rd; Whispering Woods Land, LLC, applicant; subject to staff's letter of February 10, 2017, specifically Recommendation Items 1 through 4.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

6. Application PL2016-224 - REZONING from PI to CP-2 and PRELIMINARY DEVELOPMENT PLAN - Polytainers Lot 2, 1410 NE Douglas St; Star Development Corporation, applicant

Chairperson Norbury asked what was the correct procedure for a withdrawn application. Ms. Heanue answered that he would just have to acknowledge that the application was withdrawn.

Chairperson Norbury then opened the hearing at 5:35 p.m. and announced that Application PL2016-224 had been withdrawn by the applicant. He then closed the hearing.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

7. Application #PL2017-002 - UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT #60 - Article 8 Accessory Uses and Structures, to allow tattoo, permanent

Chairperson Norbury opened the hearing at 5:36 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McKay entered Exhibit (A), list of exhibits 1-9 into the record. The amendment would basically add language to allow tattoo and permanent cosmetic services such as body piercing as a restricted accessory use in a Planned Office (PO) zoning district. Currently tattoo services were allowed only in commercial districts (CP-2) and Planned Industrial (PI). Mr. Brian Holt had brought in the request to the CEDC, which had recommended sending the amendment to the Planning Commission for public hearing. In the new districts it could be only an accessory use and the services be provided "*by the licensed professional as business owner of the primary business*" (Section 8.160(1)). The amendment also required that the primary business "*shall be associated with an artist studio engaged in the application, teaching or production of fine arts such as drawing, painting, and sculpture or in film editing and screenwriting and similar uses associated with the fine arts*" (Section 8.160(2)). Services would be by appointment only, and the only signage allowed would be one including only "*logo, telephone number and email address*" (Section 8.160(4)). The amendment would become part of Article 8 under "Specialty Accessory Uses" in Division 3.

Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then opened the hearing for questions from the Commissioners.

Chairperson Norbury said he had no general objection to allowing this kind of business in that zoning. However, this was not the first time the Commission had seen an unusual, single-use thing come forward. Now they were talking about tattoos and body piercings as an accessory use, and this was an extraordinarily narrow request for amending the UDO to accommodate one business owners. It was not likely that Lee's Summit would ever have any large grouping of art or film studios. It was an odd situation for the Commission to be talking about something that was not necessarily a problem but nevertheless carving out a provision in the UDO for a one-shot thing. He asked for a summary of the CEDC's comments. Mr. McKay summarized that this was a local business owner who spent part of his time in film editing. This was a secondary business he had, and wanted to conduct it in his office rather than a remote location. They had agreed that this accessory use was not likely to be widespread; however, the City did want to accommodate new types of businesses. Any requests would have to follow the usual procedure, including making their case to the CEDC.

Chairperson Norbury asked why this would not be allowed as a primary use. If the consensus was that this was an acceptable use, it could fit into a planned office environment. It would have to conform to the usual kind of requirements in terms of signage and how the outside of the premises would look. Mr. McKay answered that this was possible; however, the use was already permitted in two primary retail and industrial districts. There was ample available space and parking in those districts, as well as more opportunities for advertising the business and more potential customers. The PO zoning was geared more to an office environment, and the amendment attempted to fit this kind of business into that environment. Chairperson Norbury remarked that he did not have a problem with allowing tattoo and body piercing businesses but the form the amendment took seemed rather narrow for the city's unified development

ordinance in that it addressed such a specific situation. He observed that the State legislature often passed bills tailored to either include or exclude municipalities of a specific size or within certain districts.

Ms. Roberts also did not like the idea with minutiae in the UDO. However, this might be necessary and not the only time the Commission would see this kind of amendment, due to changes in work patterns. More people were working part time, freelance or telecommuting jobs and so interest in this kind of multi-use would increase. It might lead to redefining what was office use and what was not.

Mr. Delibero noted that this was essentially clearing up some details in that particular UDO article.

Mr. DeMoro stated that he had seen the applicant's business plan, and he had given this a great deal of thought. It had been well vetted twice by the CDC.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:50 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Delibero made a motion to recommend approval of Application PL2017-002, Unified Development Ordinance (UDO) Amendment #60: Article 8 Accessory Uses and Structures, to allow tattoo, permanent cosmetic services and body piercing as an accessory use in the PO District; City of Lee's Summit, applicant. Ms. Roberts seconded.

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

On the motion of Mr. Delibero, seconded by Ms. Roberts, the Planning Commission members voted unanimously by voice vote to recommend **APPROVAL** of Application PL2017-002, Unified Development Ordinance (UDO) Amendment #60: Article 8 Accessory Uses and Structures, to allow tattoo, permanent cosmetic services and body piercing as an accessory use in the PO District; City of Lee's Summit, applicant.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

<p>8. Application #PL2017-010 - EnVision LS Area Development Plan (ADP) Design Standards for an area generally bounded by Pine Tree Plaza, U.S. 50 Highway, ADESA Property, Jefferson Street, Persels (West of M-291), 16th Street (East of M-291), The Union Pacific Railroad Right-Of-Way and South M-291 Highway known as the Envision LS Master Development Plan excepting the 85 acres owned by Westcott Investment Group, LLC; City of Lee's Summit, applicant</p>

Chairperson Norbury opened the hearing at 5:52 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McKay entered Exhibit (A), list of exhibits 1-8 into the record. He stated that the Commission had seen this long-range project before, but with the 85 Westcott acres included. He displayed an aerial view of the area, with the administrative delay area highlighted. The delay had been extended to March 17. The next slide highlighted the property owners: Westcott Development Group's 85 acres to the east, Calmar's 25 acres directly to the north, and ADESA's 27 acres at the northwest. Across US 50 was Pine Tree Plaza which was 15 acres. Several renderings showed gateway area scenes. The emphasis was on building community rather than standalone uses, and activities that encouraged people to spend time there. That included sizable public spaces and mixed uses. Mr. McKay remarked that this project would take the "vertical" approach to mixed uses. In a vertical mix, retail or office uses on a first floor and residential or restaurant uses on upper floors were common. It took up less ground and encourage a lot of activity and interaction in an urban setting. It would also create more housing choices.

In specific locations, prominent architecture would not only provide a vertical focus but make the area noticeable from the highway. Buildings would be brought close to the street, in keeping with the urban approach. The four-sided architecture would have a themed look using landscaping, color and materials. Themes would vary among the retail and industrial areas. It would be walking and bicycling-friendly. Off-street and surface parking, and speed of motorized vehicles would all be reduced. They had discussed a shuttle from the highway to Downtown and back, although they wanted to avoid competing with Downtown businesses. Sustainability elements would be emphasized, including solar energy and combining stormwater management with water features.

Another map showed the master development concept. Mr. McKay pointed out the new interchange, as well as the street systems and key locations in the Westcott, Calmar, Pine Tree Plaza and ADESA properties. Mr. McKay emphasized that this was a guide that could be changed; however, it was a summary of what the City would like to see at this location.

The design standards discussed tonight would be distinct from those used for The Grove (Westcott). The Grove had been approved and they had their development plan and design standards done. The next slide showed that this was a minimal flood hazard area. Staff had divided it into three parts: Pine Tree Plaza as the gateway, the ADESA property and land adjacent to M-291 would be mixed use and the Calmar property would be the arts and entertainment center.

The Area Development Plan (ADP) specified the design standards, which were basically patterned on those used for M-150. Table 5-1 showed CP2 office and retail uses as permitted by right. Conditional and special uses were addressed separately for each case. The ADP specified permitted uses that were allowed throughout, and specific area uses for the Gateway, Mixed Use and Arts and Entertainment Center areas. It also listed prohibited uses.

The goal of the design standards was "*establishing and achieving a desired aesthetic and a high quality gateway community at a prime commercial location.*" Development standards were set out for sensitive land and natural resources, connectivity and mobility for bicyclists and pedestrians including sidewalks and trail linkages, and screening requirements. Multi-family residential development and mixed use and commercial designs all had their own design standards. The latter covered building orientation, outparcel development, streetscape design and character, the mixtures of uses and parking standards. The mixed uses had some

restrictions on use for a ground floor. The parking standards included screening and accommodation for bicycles. The Master Plan had one or two parking structures in the Calmar (Arts and Entertainment) portion, and another on the Mixed Use (ADESA) portion, as well as a hotel. "Four-sided design" included equally architectural finished in respect to materials and detail, and minimal use of corporate or franchise architecture. Buildings in a single development had to have at least four from a list of 12 features. "Building massing and form" included required variety in vertical and horizontal elements including variation in roof forms and parapet heights and protected and recessed entries. The "Green design" portion reviewed the different types of environment-friendly design the City wanted to see.

The design standards did not include a point system, as projects would be individually approved with preliminary development plans.

Mr. McKay then reviewed the list of 12 uses permitted in all three of the areas. Financial services, bars and taverns, massage therapy, restaurants and civic or fraternal organizations were required to comply with the conditions established in UDO Article 9. This was then broken down into specific uses for the gateway, mixed uses, and arts and entertainment portions of the project. The mixed use area was the one that would provide drive-through facilities, as these would be limited by the size of the other two. The CEDC had removed "Convalescent, nursing, retirement and assisted living facilities" and "Funeral home" from the mixed use portion, adding convenience stores, business or vocational schools and churches. Hospitals and clinics were prohibited due to the traffic they tended to generate; as were drive-through or drive-up restaurants.

All three areas included restaurants, but in the arts and entertainment portion these had to be rooftop restaurants or located within a larger building.

The list of prohibited uses included industrial, automotive, storage, "adult" and pet-related businesses, big-box retail stores, used merchandise and construction, rental and repair related businesses. Office/warehouse uses were on the list because they would be included in the Grove portion. Some uses were allowed only as accessory uses or within a larger building with a related use such as a martial arts studio located in a fitness center.

Mr. McKay concluded that if this plan was adopted in its entirety, it would essentially become a standalone ordinance for that area. It identified allowed and prohibited uses and gave detailed information about required design features.

Following Mr. McKay's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then opened the hearing for questions from the Commissioners.

Mr. Delibero asked what was the definition for "retirement facility" as used in the plan. Mr. McKay answered that it would be any kind of maintenance-provided community. Mr. Delibero's remarked that 55 and over apartment communities with amenities centers had become very popular. That sounded like a good use for this mixed use project considering its stated goals, including walkability and tie ins with retail. Mr. McKay responded that when the City did the Master Development Plan it actually had a senior apartment complex shown on that side. The City still supported those as beneficial to a mixed use community. John Knox Village was what could be called a commercial retirement center but it was really a variety of styles. In this

project it would be somewhat smaller, and “retirement” was a somewhat broad term. The project could still allow for senior or age-restricted apartments.

Mr. Delibero then noted that big-box stores, referred to as having an area bigger than 80,000 square feet. However, a store like Nordstrom might fit in well in this project, and that might be that size or larger. On the other hand, Big Buy would be considered a bit-box store and some of them had less area than that. The City would not want to create a 'box' with the standards and stifle innovation. Mr. McKay explained that 80,000 had been a difficult number to arrive at; but most of the big-box stores were about that square footage. If some proposed a building of that size with retail on the first floor but other uses like office or residential on upper floors, that would be consistent with the plan. What the City wanted to discourage a single use in one building that size rather than the space being used for mixed uses; and the language might need to reflect that.

Mr. Delibero remarked that everyone in the room was basically in agreement about what was best for the city. He cautioned them about unintended consequences, including stifled creativity, when the City put certain restrictions on things.

Ms. Roberts noted that in specifying “two to five stories”, the design standards and the City were essentially ruling out single-story buildings. This was one of the differences between Walmart's and Nordstrom's stores. Mr. McKay answered that this was correct. However, a developer could still request that and be granted a modification above and beyond what the City was asking for tonight. But generally the City did want to see buildings of two stories or more in this project. Ms. Roberts asked if the wording should clarify the difference between that square footage in a single-story and a multi-story building; including the square footage of parking for a single-story big box store.

Concerning the mention of transit, Ms. Roberts asked why a bus terminal was a prohibited use if that was a priority for the City. Mr. McKay answered that unlike a bus stop, a bus terminal could take up most of the acreage. They also tended to create a lot of traffic. Ms. Roberts asked if what Independence had built just north of City Hall would be called a bus terminal, and Mr. McKay answered that it would be more like a transit stop. Mr. Gustafson said that this was actually a transfer point, not a terminal or really a bus stop. Mr. McKay emphasized that a bus “terminal” would have a variety of buses coming in and passengers would either embark or change buses there. Chairperson Norbury remarked that this would be a matter of parking use as well as traffic, as the City obviously wanted to avoid the “sea of asphalt” type of parking lot as a centerpiece of any part of the development. He did agree that if a multi-modal transit stop would be consistent with the project's goals. In an earlier discussion, Commissioners and staff had brought up connectivity not only within the project but across the highway. He added that there was a connection between the number of stories a building had and parking requirements, so the intent to emphasize two- to five-story buildings did have to be factored in. He believed that many of the issues brought up tonight could be addressed via the surrounding conditions the City placed on any development with the intent of consistency of use.

Mr. Delibero asked that since multi-story buildings were going in, who would monitor whether prohibited uses went in at a later date. Mr. McKay replied that a legitimate business would need a business license, and that was where this was likely to be spotted. Mr. Delibero remarked that not many districts restricted uses with this detailed approach; and it would be important for staff involved in this licensing to be aware of the special restrictions in this area of town. He

asked if these restrictions would be part of a development agreement with a developer. Mr. McKay said that this could be worked into the approval process for that development. This was a new approach, and staff would need to put all the processes in place that would deal with the various uses as they came in.

Regarding the discussion about a bus terminal, Mr. DeMoro observed that at 10th and Main in downtown Kansas City, there was a bus transfer station where Ride Kansas City buses came through to drop off and pick up passengers. He did not recall seeing any parking there. This kind of approach could work in this project for a transit center, including incorporating the trolley suggested in an earlier discussion.

Chairperson Norbury mentioned not trying to duplicate what was Downtown, noting that he had not perceived any risk of that kind in his discussions with either staff or the Main Street board. Downtown had managed to thrive well after the opening of developments like Summit Fair, and there had been some concern about that. However, one of the conversations going on at the City level and among various people Downtown, was a concept of an expanded Downtown. The Pine Tree Plaza site, to be called the Gateway area in the future, was considered the transitional point between this project and the historic Downtown core and its surroundings. They would definitely have some similarities in terms of use and style, including walkability and a mixture of uses. What was yet to be up for discussion were the transitional neighborhoods in between. Moreover, this project would increase traffic and whenever that was a prospect, people living in that particular part of Lee's Summit had concerns about increased traffic problems. That needed to be an ongoing part of the plan, as the properties on Jefferson and Market were likely to increase in value when there was development to the south.

Chairperson Norbury also emphasized that connectivity was especially important with this development. Harris Park provided City dedicated land, and included a trail that was partially done. He asked if the Commission would be seeing the Westcott property standards, and Mr. McKay replied that these had been approved as part of their preliminary development plan package.

Mr. Gustafson asked Mr. McKay about The Grove property. Mr. McKay related that much of it centered around the industrial portion, particularly the part south of Bailey. They had some additional office-warehouse north of Bailey, and the part near the railroad tracks was the transition between industrial and office and the future retail. Uses. Staff had looked at the design standards, and Westcott had an industrial type area and they were establishing a significant design standard for themselves. The City had picked up on that and taken it a little further. It was actually similar to the rest of the property, but the Grove had more industrial use.

Mr. Funk asked if the City had discussed any kind of City-run transit system, and Mr. McKay answered that it had not. It had come up when they went through the Master Development Plan process, as it would be a logical way to connect from the southern part to Downtown. Once the construction of the interchange started, the City would have about 18 months to address that.

Mr. Trent Overhill gave his address as 5871 South Tettters Court in Springfield, Missouri. He represented the development company that would be purchasing Pine Tree Plaza. He had met with Mr. McKay several times to go over the master plan. They did a great deal of retail redevelopment, and several people were looking at this particular center. He liked the design

standards but they focused exclusively on new development, and Pine Tree had existing structures. They needed to mirror the City's design standards and come up with something that fit both sides; and would like the standards to include things that would help them do that. They wanted to bring some new life and new people to the center, and some new businesses including restaurants.

Mr. Delibero asked him if the owner's intention was to remodel or redevelop the center rather than do something else with the property. Mr. Overhill answered that at present they did not feel it was suitable to do a major redevelopment, although this would happen down the road. They intended to continue to emphasize the retail sector to start. Mr. Delibero asked if they intended to do stopgap improvements until a major redevelopment was economically feasible, or if it would be a 'facelift' kind of situation where they were repositioning it as a retail center. Mr. Overhill explained that at present they wanted to redevelop the property a retail center. They would consult the design standards to find elements that were consistent, such as stone block materials, awnings, and other elements. Vertical mixed use could be a problem at this location as they currently had about 134,000 square feet of single-story retail. Mr. Delibero asked if they intended to work with what was there, plugging in some holes and changing the visual style rather than a more substantial redevelopment of the site as a retail area. Mr. Overhill was not sure about replacing the entire facade but they had plans to alter the roofline and updating lighting, materials, parking, signage and landscaping. He emphasized that they would like to see some design standards for redevelopment projects.

Mr. Delibero asked Mr. McKay if the design standards would apply to properties with existing structures. Mr. McKay acknowledged that this part of the project was an older shopping center that was going to be redeveloped. The preference for two- to five-story buildings did not necessarily affect this portion, although it could if the owners wanted to tear the center down and replace it. The City wanted to work with these property owners to make this a viable center again and the design standards did apply. However, any redevelopment of that area would require a preliminary development plan and public hearings. That would be the context to negotiate for negotiation, and that could include single-story buildings; and it was even possible to add a residential component. Mr. Delibero asked if the owner could nevertheless operate the center with the same footprint and Mr. McKay answered that they could, although the design standards would dictate details and style. Valle Vista Center on M-291 was a good example of a declining shopping center that had been renovated successfully.

Ms. Roberts noted that the center had two pad businesses in front. She asked if a situation could happen where they added new buildings at that part of the property and the property would become transitional in the sense of some of it meeting the design standards and the rest not meeting them. Mr. McKay acknowledged that the redevelopment would probably happen with that kind of phasing process. The design standards would apply and a preliminary development plan required; however, some components would be different in dealing with an existing development. The application could show the phased process and specify how the design standards would be applied in making an older retail area viable again. Ms. Roberts agreed with that approach, remarking that she certainly did not want just bulldozing buildings to be a first resort. It was wasteful in terms of both funds and materials.

Chairperson Norbury commented that the City had design standards for Downtown and the M-150 corridor, and this was the third version. Almost none of the properties redeveloped under the existing one had been 100 percent in line with the standards, as some flexibility was built in

as redevelopment of existing structures did have built in limits. He asked staff to give some thought to how to address that situation with the gateway area, which had more existing structures than the other parts of the project. In general, standards needed to be set for cases of a transitional part of a unified redevelopment project. Other parts of town, such as the north part of the M-291 corridor, would have similar situations.

Mr. Delibero asked Mr. Overhill if something like a new restaurant at Pine Tree Plaza could open in a single-story pad building, and Mr. Overhill answered that it could.

Ms. Roberts suggested that design standards could include redevelopment of strip malls and shopping centers, including existing examples of this kind of re-use. Mr. McKay answered that staff could bring in a draft of transitional redevelopment standards. He agreed that developers would benefit from having clear direction.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 6:55 p.m. and asked for discussion among the Commission members.

Chairperson Norbury stated that he wanted to urge staff, the Commission and the Council to keep in mind that this was a long-range project that would take patience, time and commitment. They had to make sure that design standards were not too restrictive or too lax; and the governing bodies had to commit to holding developers to those standards when they brought in applications. This project would re-shape an important gateway to Lee's Summit and it would take this level of commitment. He was not sure that was emphasized enough when the M-150 standards were developed; but the City now had some experience with these standards and needed to be a strong advocate of the bigger picture.

As there was no further discussion, Chairperson Norbury called for a motion.

Mr. Delibero made a motion to recommend approval of Application PL2017-010, EnVision LS Area Development Plan (ADP) Design Standards for an area generally bounded by Pine Tree Plaza, U.S. 50 Highway, ADESA Property, Jefferson Street, Persels (West of M-291), 16th Street (East of M-291), The Union Pacific Railroad Right-Of-Way and South M-291 Highway known as the Envision LS Master Development Plan excepting the 85 acres owned by Westcott Investment Group, LLC; City of Lee's Summit, applicant; amending Section 5c(3) to remove the word "*retirement*" and amending Section 5e(2) to add the words "*on one level*" after "*80,000 square feet*". Mr. Funk seconded.

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

On the motion of Mr. Delibero, seconded by Ms. Roberts, the Planning Commission members voted unanimously by voice vote to recommend **APPROVAL** of Application PL2017-010, EnVision LS Area Development Plan (ADP) Design Standards for an area generally bounded by Pine Tree Plaza, U.S. 50 Highway, ADESA Property, Jefferson Street, Persels (West of M-291), 16th Street (East of M-291), The Union Pacific Railroad Right-Of-Way and South M-291 Highway known as the Envision LS Master Development Plan excepting the 85 acres owned by Westcott Investment Group, LLC; City of Lee's Summit, applicant; with Sections 5c(3) and 5e(2) amended as stated.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

PUBLIC COMMENTS

There were no public comments at the meeting.

ROUNDTABLE

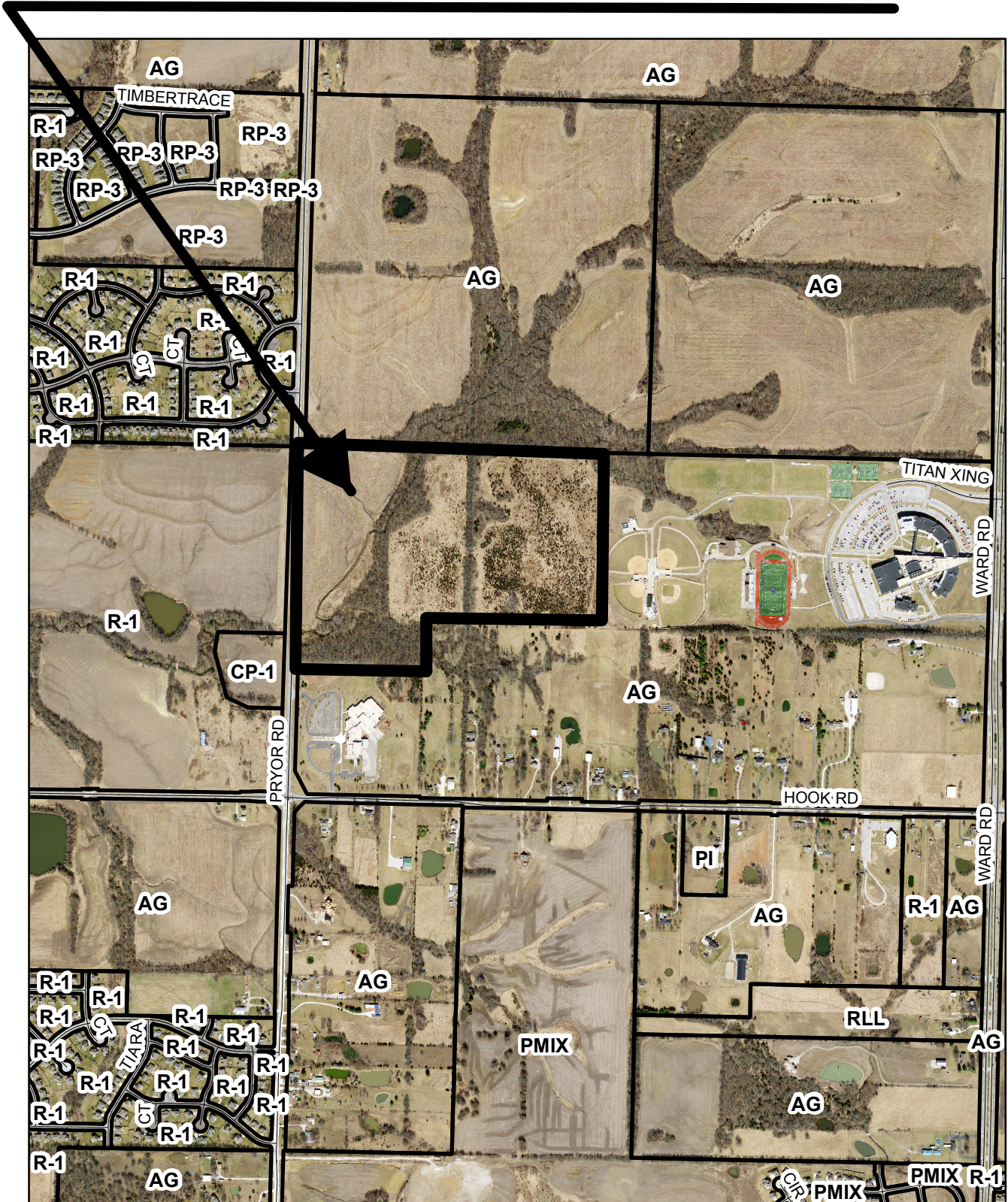
Mr. Soto introduced Ms. Shannon McGuire, a new member of the Planning staff.

ADJOURNMENT

There being no further business, Chairperson Norbury adjourned the meeting at 7:00 p.m.

PC 021417

PL#2016-219-REZONING AND PREL DEV PLAN WHISPERING WOODS, LOT 1-164 & TRACTS A-O WHISPERING WOODS LAND, LLC., APPLICANT



City of Lee's Summit

Development Services Department

February 10, 2017

TO: Planning Commission

FROM: Robert G. McKay, AICP, Director of Planning and Special Projects 

RE: **CONTINUED PUBLIC HEARING – Appl. #PL2016-219 – REZONING from AG to R-1 and PRELIMINARY DEVELOPMENT PLAN** – Whispering Woods, approximately 76 acres generally located at the northeast corner of SW Pryor Rd and SW Hook Rd; Whispering Woods Land, LLC, applicant

Commentary

The applicant proposes to rezone approximately 76 acres located at the northeast corner of SW Pryor Rd and SW Hook Rd from AG (Agricultural) to R-1 (Single-Family Residential). The property is immediately north of Hawthorne Hill Elementary School and west of Lee's Summit West High School. The proposed *Whispering Woods* subdivision will be a six-phase single-family residential development composed of 164 lots and 15 common area tracts.

The subject application also includes a preliminary development plan. Preliminary development plans typically do not accompany rezoning applications for R-1 zoning. However, the applicant is requesting one modification to the UDO which can only be granted as part of a preliminary development plan application. A modification is requested to the R-1 minimum rear setback requirement of 30-feet to allow a 20-foot rear setback for Lots 129-144. Staff supports the requested modification.

Phase 1 and 2 of this development proposes a total of sixty-eight (68) lots with one (1) point of ingress to and egress from the subdivision. However, no more than fifty (50) building permits shall be issued until such time as SW 26th Terrace is constructed between SW Pryor Rd. and SW River Run Dr. to an acceptable City Standard, and thereby providing a second point of access to SW Pryor Rd.

The traffic improvements required for this development include the construction of multiple turn-lanes along SW Pryor Road at the proposed intersections of SW River Run Drive and SW 26th Terrace. In addition, a temporary traffic signal at the intersection of SW Pryor Road and SW Scherer Road will be required in the later phases of this development. A Development Agreement shall be required to address the off-site road improvements identified within the traffic study and the off-site sanitary sewer and water needs.

- 164 lots and 15 common area tracts on 76 acres
- 2.15 units/acre including common area – 4 units/acre maximum permitted
- 2.90 units/acre excluding common area

Recommendation

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

1. A modification shall be granted to the R-1 minimum rear setback requirement of 30 feet, to allow a 20-foot rear setback for Lots 129-144.
2. A total of sixty-eight (68) lots may be platted within Phase 1 and 2. However, no more than fifty (50) building permits shall be issued until such time as SW 26th Terrace is constructed

between SW Pryor Rd. and SW River Run Dr. to a standard acceptable to the Fire Department, all in compliance with the Fire Code and Unified Development Ordinance regulations requiring a second point of access for developments in excess of fifty (50) single family homes.

3. Development shall be in accordance with the preliminary development plan, date stamped February 5, 2017.
4. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the required off-site sanitary sewer, and waterline improvements, and off-site transportation improvements listed in the TIA, dated February 7, 2017. No infrastructure permit shall be issued in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office. All public improvements shall be substantially complete prior to issuance of any building permit.

Project Information

Proposed Use: single-family residential subdivision

Current Zoning: AG (Agricultural)

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

Land Area:

Phase 1—	17.08 acres
Phase 2—	10.99 acres
Phase 3—	20.82 acres
Phase 4—	7.76 acres
Phase 5—	12.03 acres
Phase 6—	7.64 acres
Total—	76.32 acres

Number of Lots:

Phase 1—	33 lots and 5 common area tracts
Phase 2—	35 lots and 1 common area tract
Phase 3—	28 lots and 6 common area tracts
Phase 4—	18 lots and 0 common area tracts
Phase 5—	27 lots and 2 common area tracts
Phase 6—	23 lots and 1 common area tract
Total—	164 lots and 15 common area tracts

Density: 2.15 units/acre, including common area; 2.90 units/acre excluding common area

Location: northeast corner of SW Pryor Rd. and SW Hook Rd

Surrounding zoning and use:

North: AG (Agricultural)—vacant ground-PRI property

South: AG (Agricultural)—Lee's Summit R-7 Hawthorne Hill Elementary School and large lot single-family homes

East: AG (Agricultural)—Lee's Summit R-7 West High School

West: R-1 (Single-Family Residential)—vacant ground; and CP-1 (Planned Neighborhood Commercial District)—vacant ground

Analysis of Rezoning

Whispering Woods. The proposal is to rezone approximately 76 acres, located at the northeast corner of SW Pryor Rd and SW Hook Rd from AG (Agricultural) to R-1 (Single-Family Residential). The property is immediately north of Hawthorne Hill Elementary School and west of Lee's Summit West High School. The proposed *Whispering Woods* subdivision will be a six-phase, single-family residential development composed of 164 lots and 15 common area tracts.

Comprehensive Plan. The 2005 Lee's Summit Comprehensive Plan shows the area as primarily low-density residential with a small portion of the area shown as a commercial dominant mix use. The *Whispering Woods* plan is a slight deviation from the Comprehensive Plan in that the proposed development is comprised entirely of low density residential. Staff supports the proposed *Whispering Woods* plan.

Surrounding Uses. The properties to the north, east, and south are zoned AG, consisting of undeveloped or large lot agricultural property to the north; Lee's Summit West High School to the east; Hawthorne Hill elementary school and large lot single-family homes to the south. The property to the west is zoned R-1 and CP-1 and consists of undeveloped ground.

Recommendation. Staff recommends approval of the proposed rezoning to R-1. The use is consistent with the Comprehensive Plan and is compatible with the existing and developing single-family residential subdivisions to the west and northwest. The development is also compatible with the adjacent schools and will create a desirable neighborhood-school setting.

Analysis of Preliminary Development Plan

Rear Setbacks. Modification requested. **Staff supports requested modification.**

- Proposed – The applicant proposes a 20-foot rear setback for Lots 129-144.
- Required – The required minimum rear yard setback for the R-1 zoning district is 30-feet.
- Recommended – Staff supports the requested modification to allow a 20-foot rear yard setback for Lots 129-144. Due to accommodation of the walking trail that connects Pryor Road to Lee's Summit West High School, the normal rear yard setback of 30 feet will not accommodate the desired building footprints anticipated for this development. Although the requested setback for Lots 129-144 will be established at 20 feet, this will be measured from the 20 foot wide tracts that are reserved for the walking trail, which will effectively provide a 40-foot setback from the plat boundary.

Public Utilities (Water and Sanitary).

The proposed development will require off-site water improvements along SW Pryor Road. A 16-inch water line extension from SW Scherer Road to the development will be required prior to the issuance of any building permits in the first phase.

The proposed development may require off-site sanitary sewer improvements. Downstream of the proposed development, approximately 160 linear feet of 16-inch sewer owned by Little Blue Valley Sewer District may need to be upgraded to a 24-inch sewer. Final determination shall be made by Little Blue Valley Sewer District.

Phasing and Number of Lots.

- Proposed – Sixty-eight single family homes are proposed within Phase 1 and Phase 2 of the *Whispering Woods* subdivision with one (1) point of ingress to and egress from the subdivision.

- Required – A limit of fifty (50) single family homes with one (1) point of ingress to and egress from the subdivision.
- Recommended – A total of sixty-eight (68) lots may be platted within Phase 1 and 2. However, no more than fifty (50) building permits shall be issued until such time as SW 26th Terrace is constructed between SW Pryor Rd. and SW River Run Dr. to a standard acceptable to the Fire Department, all in compliance with the Fire Code and Unified Development Ordinance regulations requiring a second point of access for developments in excess of fifty (50) single family homes.

Street Improvements. Since the proposed development will generate more than 100 vehicle trips to the surrounding street system in the peak hours, a traffic impact study was prepared and submitted to City staff for review. The study determined the proposed development will warrant the need to construct multiple turn-lanes along SW Pryor Road at the proposed intersections of SW River Run Drive and SW 26th Terrace. In addition, a temporary traffic signal at the intersection of SW Pryor Road and SW Scherer Road will be required in the later phases of this development. For additional information refer to the Transportation Impact Analysis, as submitted by the City Traffic Engineer.

Livable Streets. The proposed development plan is in compliance with the City's Livable Street Policy. Elements of the plan supporting this policy include sidewalks, greenway paths, street connectivity and accessibility. The development will enhance access to the adjacent schools, and walking and biking to school. For additional information refer to the Transportation Impact Analysis, as submitted by the City Traffic Engineer.

Code and Ordinance Requirements

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

Engineering

1. All required engineering plans and studies, including water lines, sanitary sewers, storm drainage, streets and erosion and sediment control shall be submitted along with the final plat and approved prior to the approval of the final plat. All public infrastructure must be substantially complete prior to the issuance of any building permits.
2. A Master Drainage Plan (MDP) shall be submitted and approved in accordance with the City's Design and Construction Manual for all areas of the development, including all surrounding impacted areas, along with the engineering plans for the development. The MDP shall address drainage level of service issues on an individual lot basis.
3. All Engineering Plan Review and Inspection Fees shall be paid for prior to approval of the engineering plans and prior to the issuance of any infrastructure permits or the start of construction (excluding land disturbance permit).
4. A Land Disturbance Permit shall be obtained from the City prior to any ground-breaking activities on the site.
5. The As-graded Master Drainage Plan shall be submitted to and accepted by the City prior to the issuance of any building permits for the development.
6. All subdivision-related public improvements must have a Certificate of Final Acceptance prior to approval of the final plat, unless security is provided in the manner set forth in the City's Unified Development Ordinance (UDO) Section 16.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of

the public infrastructure as outlined in Section 1000 of the City's Design and Construction Manual.

7. All permanent off-site easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the approval of any final plat. A certified copy shall be submitted to the City for verification.
8. Upon approval of the proposed rezoning by City Council, the applicant will become responsible for providing the appropriate level of right-of-way maintenance (mowing) during each growing season with the defined area abutting their property as defined and outlined in the City's Mowing Policy, approved by Council on November 3, 2005.
9. The applicant shall enter into a mutually-satisfactory Development Agreement for off-site improvements, including traffic, installation of a 16" water line extension from Scherer Rd. to the development, and upgrades to 16-inch sanitary sewer owned by the Little Blue Valley Sewer District.
10. All United States Army Corps of Engineers (USACE) permitting requirements shall be the responsibility of the applicant.
11. Any development within the floodplain shall be subject to a City-issued Floodplain Development Permit.
12. Any work within the floodway for installation of the box culvert or bridge crossing, shall be subject to a No-Rise Certificate. The No-Rise Certificate must be accompanied by the proper studies, modeling results, and other information required by the City Floodplain Administrator.

Fire

13. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety of fire fighters and emergency responders during emergency operations, shall be in accordance with the 2012 International Fire Code.
14. The phases will go through as shown with the first phases being limited to only 50 building permits, unless there is progress being made on the second access per the provisions of Section D107.1, exception 2.

Planning

15. Sign permits shall be obtained prior to installation of any signs through the Department of Development Services. All proposed signs must comply with the sign requirements of Article 13 of the UDO.
16. A final plat shall be approved and recorded prior to any building permits being issued. All subdivision-related public improvements must be complete prior to approval of the final plat by the City Council unless security is provided in the manner set forth in UDO Section 16.340.
17. No final plat shall be recorded by the developer until the director of Planning and Special Projects and the City Attorney have reviewed and approved the declaration of covenants and restrictions pertaining to common property as prepared in accordance with Section 5.330 of the UDO, and until the Director has received certification from the Missouri Secretary of State verifying the existence and good standing of the property owners' association required by Section 5.340 of the UDO. In addition, the approved Declaration of

Covenants, Conditions and Restrictions shall be recorded prior to the recording of the final plat.

18. An electronic copy of the legal description shall be submitted. Microsoft Word document or selectable text PDF are the preferred file formats. The legal description can be emailed to the planner's email address.
19. Revise Note #2 to read SW Swan Creek Road.
20. Within the building setback requirement table include Lot 141 as having a 20-foot rear yard setback.

RGM/jmt

Attachments:

1. Transportation Impact Analysis prepared by Michael Park, dated February 7, 2017— 4 pages
2. Traffic Impact Study, prepared by Priority Engineers, Inc., dated January 3, 2017 – 27 pages
3. Supplemental Traffic Analysis, prepared by Priority Engineers, Inc., dated January 10, 2017 –5 pages
4. Rezoning Exhibit dated February 5, 2017—1 page
5. Preliminary Development Plan, date stamped February 5, 2017— 2 pages
6. Single-Family Residential Compatibility Form, date stamped January 3, 2017—3 pages
7. Correspondence from engineer outlining the modification requests—1 page
8. Location Map



LEE'S SUMMIT

M I S S O U R I

DEVELOPMENT REVIEW FORM

TRANSPORTATION IMPACT

DATE: February 7, 2017
SUBMITTAL DATE: January 3, 2017
APPLICATION #: PL2016219
PROJECT NAME: WHISPERING WOODS

CONDUCTED BY: Michael K Park, PE, PTOE
PHONE: 816.969.1800
EMAIL: Michael.Park@cityofls.net
PROJECT TYPE: Prel Dev Plan (PDP)

SURROUNDING ENVIRONMENT (Streets, Developments)

The proposed residential subdivision is located along the east side of SW Pryor Road, between SW Hook Road and SW Scherer Road. The surrounding area consists of undeveloped or large lot agricultural property to the north, developing single-family residential subdivisions to the west, a high school to the east and an elementary school or large lot residential property to the south.

ALLOWABLE ACCESS

The proposed subdivision will be accessed via SW Pryor Road at two locations, and then individual lots will be accessed from several proposed residential streets. Future access will be provided through a network of roadways north and south of the subdivision as adjacent properties develop via the proposed residential collector. An east-west collector north of the proposed subdivision between Pryor Road and Ward Road is identified in the long-range transportation plan that would further enhance the transportation network in the area. There will be no individual lot access to SW Pryor Road or to the proposed residential collector streets (with a limited exception to a collector portion of SW River Run Drive where no alternative exists). The proposed residential collectors and residential local streets will have two lanes and a 25 mph speed limit. The proposed intersections will have adequate sight distance.

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

SW Pryor Road is a two lane undivided major arterial with a 45 mph speed limit currently constructed to an interim standard with paved shoulders. Unfunded improvements to SW Pryor Road from SW Longview Road to M-150 Highway are planned within the next 10 years that would provide a five-lane divided urban road section to accommodate continued community growth based on the adopted Thoroughfare Master Plan. SW Hook Road is a two lane undivided arterial with a 35 mph speed limit currently constructed to an interim standard with turf shoulders. A City initiated capital project has been programmed to provide paved shoulders along Hook Road. The interim standard can support the proposed residential development according to the Unimproved Road Policy. SW Scherer Road is a two lane unimproved undivided major arterial with a 35 mph speed limit. The intersections of Pryor Road at Scherer Road and Pryor Road at Hook Road are controlled by all-way stop conditions. Multiple turn lanes already exist at these two intersections. There shall be no unmitigated sight distance issues related to proposed intersections along SW Pryor Road.

ACCESS MANAGEMENT CODE COMPLIANCE? YES NO

The proposed development will incorporate all required left-turn and right-turn lanes along Pryor Road as listed in the conditions of recommendation for approval. The proposed intersection spacing along Pryor Road meets the minimum criteria in the Access Management Code, subject to

relocation of the existing school driveway along Pryor Road as depicted on the development plans. The school driveway will be relocated from Pryor Road to the nearby proposed residential street. This relocation will improve safety and traffic operations along Pryor Road, including student, faculty, visitor and bus transportation safety through the use of required turn lanes along Pryor Road that will be provided with the development at the new intersection that are otherwise currently unprotected. The relocated school driveway will also encourage interaction between the subdivision and school; better facilitate pedestrian and bicycle student commutes and create a more desirable neighborhood-school setting.

All conditions required by the Access Management Code have been satisfied.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	1656	828	828
A.M. Peak Hour	124	31	93
P.M. Peak Hour	164	103	61

TRANSPORTATION IMPACT STUDY REQUIRED? YES No

The proposed development will likely generate more than 100 vehicle trips to the surrounding street system during any given peak hour; a typical condition that requires a traffic impact study. A traffic impact study was completed by Priority Engineers, Inc. dated January 3, 2017. A supplemental analysis for traffic signal considerations at the intersections of Pryor Road and Scherer Road and Pryor Road at Hook Road was completed by Priority Engineers, Inc. dated January 10, 2017.

The traffic study provided an evaluation for the impact of proposed development generated trips on the surrounding streets for the AM Peak Hour and PM Peak Hour. Analysis scenarios included existing conditions, existing plus proposed development conditions and a future 20-year horizon. Intersections reviewed included Pryor Road at Scherer Road, Pryor Road at Hook Road and the proposed intersections along Pryor Road.

Traffic operations are reported using an industry standard level of service measure of delay represented similar to a school grade card from A to F, with A the best and F the worst. The City of Lee's Summit has adopted a level of service goal C.

Reported traffic operations at all studied intersections for existing conditions are mostly adequate; areas of poor operation are specifically described herein. The southbound movement at the intersection of Pryor Road and Scherer Road has a level of service F during the AM Peak Hour with a reported vehicle queue of approximately 475 feet. The same southbound movement and the northbound movement at this intersection experience a level of service F in the PM Peak Hour with reported vehicle queues of about 325 feet and 545 feet, respectively. The southbound movement at the intersection of Pryor Road and Hook Road has a reported level of service D with an approximate 160-foot queue during the PM Peak Hour. These poor operations and long vehicle queues are manageable, but a result of increasing traffic volume at an all-way stop that should be further evaluated for near-term improvement. These conditions tend to indicate a need for more restrictive intersection control, such as traffic signal installation, as mitigation for adequate level of service.

A traffic signal warrant analysis was included in the traffic study to better evaluate existing conditions and reported levels of service. Traffic signal warrants are established in the Manual on Uniform Traffic Control Devices, a federally legislated manual and industry reference adopted by the City of Lee's Summit. Absent any warranting conditions, a traffic signal should not be installed. Traffic signals should only be considered if one or more warrants are satisfied, but a met warrant is not a mandate for traffic signal installation.

Based on existing traffic volumes, at least two traffic signal warrants (i.e. the peak hour warrant for AM and PM periods and the four-hour warrant) are likely met at the intersection of Pryor Road and Scherer Road. Consequently, Staff recommends a traffic signal be imminently pursued for the intersection of Pryor Road and Scherer Road. Current operations at the intersection of Pryor Road and Scherer Road do not meet the City's level of service goal, but are considered acceptable for the very near term. Considering this experience a traffic signal should be planned to improve operations and support continued community growth and development. A traffic signal at this intersection would provide adequate level of service for all movements. A temporary (span wire) traffic signal would be appropriate while the intersection of Pryor Road and Scherer Road remains built to an interim road standard.

Based on existing traffic volumes, the intersection of Pryor Road and Hook Road did not meet any more than one peak hour warrant (only the PM peak hour). Typically, a traffic signal is not required or recommended when only one peak hour warrant is met. Furthermore, the delay and queues reported for the intersection of Pryor Road and Hook Road indicate sufficient capacity remains for measureable increases in traffic throughout the day. The PM peak hour southbound level of service D should not require mitigation at this time.

The development scenario shows a worsening condition at the aforementioned two intersections during the AM and PM Peak Hours. However, the only identified change in level of service to exceed the City goal occurs for the northbound movement at the intersection of Pryor Road and Scherer Road during the AM Peak Hour; a change from LOS C to LOS D. Vehicle queues generally get longer with the anticipated impact of development. The supplemental traffic analysis assesses the incremental impact on delay and vehicle queues associated with a phased development approach to determine when a traffic signal is recommended to support the development. The traffic study recommends Phase 1 and Phase 2 (a total of 68 lots) be permitted within the proposed development absent traffic signal control at the intersection of Pryor Road and Scherer Road. Staff concurs with the traffic study recommendation. Trips generated by Phase 1 and Phase 2 of the development should not have a significant impact to delay or queue at this intersection not already experienced and managed. The trips from Phase 1 and Phase 2 represent less than 5 percent of the total peak hour traffic currently traveling through the intersection. Additional trips generated by the development after Phase 1 and Phase 2 likely surpass the acceptable threshold of adequate infrastructure and will require traffic signal control at the intersection of Pryor Road and Scherer Road. There are no other traffic signals warranted in support of the proposed development. Several right-turn and left-turn lanes are recommended in the traffic impact study along Pryor Road in support of the development and compliance with the Access Management Code. These turn lanes are associated with proposed roadways serving the development. Staff concurs with the turn lane recommendations. These recommendations are listed as stipulations for approval.

A 2035 scenario was also completed in the traffic study. This scenario assures adequate right-of-way for future road improvements are not in conflict with the proposed development. It justifies

the future need for traffic signals at both major intersections along Pryor Road and resulting adequate levels of service. The development will not inhibit plans for future widening of Pryor Road and any required right-of-way for left-turn and right-turn lanes in consideration of the future 5-lane section for Pryor Road adjacent to the development would be provided through the platting process.

LIVABLE STREETS (Resolution 10-17)

COMPLIANT

EXCEPTIONS

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

RECOMMENDATION:

APPROVAL

DENIAL

N/A

STIPULATIONS

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

Staff recommends approval of the proposed preliminary development plan subject to the following conditions:

1. Relocate the existing elementary school driveway located along SW Pryor Road to SW River Run Drive as depicted on the preliminary development plan prior to the issuance of building permits for any lot within the development.
2. Construct a northbound right-turn lane along SW Pryor Road at the proposed intersection of SW River Run Drive prior to the issuance of building permits for any lot within the development. The right-turn lane shall be at least 150 feet in length plus taper.
3. Construct a southbound left-turn lane along SW Pryor Road at the proposed intersection of SW River Run Drive prior to the issuance of building permits for any lot within the development. The left-turn lane shall be at least 200 feet in length plus taper.
4. Construct a northbound right-turn lane along SW Pryor Road at the proposed intersection of SW 26th Terrace. The right-turn lane shall be at least 150 feet in length plus taper. Timing of construction noted below.
5. Construct a southbound left-turn lane along SW Pryor Road at the proposed intersection of SW 26th Terrace. The left-turn lane shall be at least 200 feet in length plus taper. Timing of construction noted below.
6. Install a temporary traffic signal at the intersection of SW Pryor Road and SW Scherer Road. The traffic signal shall be substantially completed prior to the issuance of building permits for any lot beyond those lots contained in Phase 1 or Phase 2 (not to exceed a combined 68 lots).

Conditions #4 and #5 shall require substantial completion prior to the issuance of building permits for any lot within the phase of development which the roadway in the condition serves.

Conditions #4 and #5 may be coordinated with City capital improvements to Pryor Road adjacent to the development in lieu of substantial completion only if an escrow is provided to the City in an amount equivalent to the improvement cost associated with each condition and the roadway associated with the condition is not yet open for public use and construction of the City project adjacent to the improvement listed in the condition is either underway, completed or within 12 months of letting.

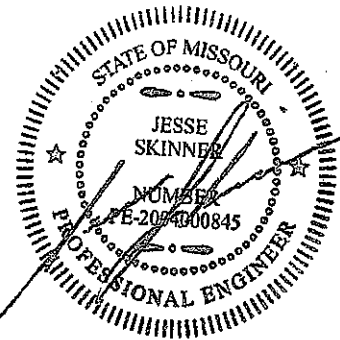
Whispering Woods

TRAFFIC IMPACT STUDY

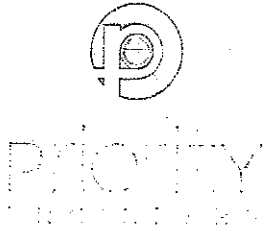
January 3, 2017

Prepared For:
Whispering Woods Land, LLC
803 P.C.A. Road
Warrensburg, MO 64093

Prepared By:
Priority Engineers, Inc.
PO Box 563
Garden City, MO 64747



1-3-17



January 3, 2017

Mr. Rick Frye
Whispering Woods Land, LLC
803 P.C.A. Road
Warrensburg, MO 64093

Re: Whispering Woods – Lee's Summit, MO

Dear Mr. Frye:

In response to your request, Priority Engineers, Inc. has completed a traffic impact study for the above referenced project. The purpose of the analysis is to determine the potential traffic impacts associated with this development on the intersections and streets surrounding this site, primarily during the AM and PM peak hours. The following report documents our analysis and recommendations.

We appreciate the opportunity to work with you on this project. Please contact us with any questions or if you require additional information.

Sincerely,

PRIORITY ENGINEERS, INC.

A handwritten signature in black ink, appearing to read 'Jesse Skinner', is written over a horizontal line.

Jesse Skinner, P.E., PTOE
Senior Transportation Engineer

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1) INTRODUCTION

The purpose of this study is to examine the potential traffic impacts associated with the proposed Whispering Woods development located north of SW Hook Road and east of SW Pryor Road in Lee's Summit, Missouri. The development will be constructed with access onto SW Pryor Road.

The study area is shown in Figure 1. The site layout is shown in Figure 2.

2) EXISTING CONDITIONS

The existing site is located north and east of the northeast quadrant of the intersection of SW Hook Road and SW Pryor Road. The property is currently used for agricultural purposes and has not previously been developed.

SW Pryor Road is a two-lane roadway adjacent to this property with a posted speed limit of 45 miles per hour. SW Pryor Road is classified as a Major Arterial. SW Hook Road is a two-lane road with a posted speed limit of 35 miles per hour. SW Hook Road is classified as a minor arterial. The intersection of SW Pryor Road and SW Hook road is unsignalized with stop signs controlling all four directions. To the north of this site, SW Scherer Road intersects SW Pryor Road at a four-way stop controlled intersection. SW Scherer Road is also a two-lane major arterial with a posted speed limit of 35 miles per hour.

The proposed development site is bounded on the west by SW Pryor Road. The property adjacent to the southwestern boundary of the proposed development is owned by the Lee's Summit School District (Hawthorn Hill Elementary School). Properties to the east of Hawthorne Hill Elementary School and to the south of the proposed development are single family residential dwellings on large lots. To the east of the proposed development the property is owned by the Lee's Summit School District (Lee's Summit West High School). To the north of the proposed development site, the property is undeveloped agricultural property.

Peak Hour turning movement traffic counts for the intersections of SW Hook Road and SW Pryor Road, SW Pryor Road and the western Hawthorn Hill Elementary School drive, and SW Pryor Road and SW Scherer Road were conducted on typical weekdays in October of this year between the hours of 7:00 and 9:00 AM and from 4:00 to 6:00 PM. The peak hours were determined to be different for each intersection in the AM and from 4:45 to 5:45 in the PM. The most conservative scenario for the AM Peak Hour was created by applying the individual AM peaks hours for each intersection while balancing the traffic volumes. The complete traffic counts are shown in Appendix II. The peak hour traffic volumes and existing lane configurations are shown in Figures 3-7.

3) PROPOSED DEVELOPMENT

The proposed site plan is shown in Figure 2. The proposed development consists of 164 units of Single Family Detached Residences.

The proposed development will have two entrances onto SW Pryor Road. The northern entrance will be located approximately 530 feet south of the northern property limit. The southern entrance will be approximately 180 feet north of the existing west drive for Hawthorne Hill Elementary. As part of the proposed development the existing entrance will be closed and

the School will be served by a new entrance to the north. Sight distance along SW Pryor Road exceeds the minimum requirements for intersection sight distance for both entrances.

4) TRIP GENERATION

The vehicle trips generated by the proposed development were estimated using the Institute of Transportation Engineers' Trip Generation, 9th Edition. Land Use 210, Single Family Detached Residences, was used. The estimated AM and PM peak hour traffic volumes associated with these uses are shown in Table 1.

Land Use	Intensity	Daily	AM Peak			PM Peak		
			Total	In	Out	Total	In	Out
Single Family Detached Residences	164 Units	1655	124	31	93	164	103	61
Total New Trips		1655	124	31	93	164	103	61

5) TRIP DISTRIBUTION

Trips generated by the Whispering Woods development were distributed based on existing traffic flows and a general analysis of the surrounding area. The trips were distributed onto the existing street system approximately as follows:

- 32 percent to/from the north on SW Pryor Road
- 17 percent to/from the east via SW Scherer Road
- 13 percent to/from the west via SW Scherer Road
- 22 percent to/from the south on SW Pryor Road
- 11 percent to/from the east via SW Hook Road
- 5 percent to/from the west via SW Hook Road

The proposed development trips are shown in Figures 7-8.

6) SIGNAL WARRANTS

The Manual of Uniform Traffic Control Devised (MUTCD) peak hour signal warrants were checked for the intersections of SW Scherer Road and SW Hook Road with Pryor Road. According to Warrant 3, the Peak Hour Warrant, the intersection of SW Scherer Road and SW Pryor Road will be met during the proposed PM Peak Hour. Because SW Pryor Road has a posted speed limit of 45 miles per hour, the 70% factor was also considered for Warrant 3. When considering this factor, the intersection of SW Scherer Road and SW Pryor Road meets peak hour signal warrants during existing AM and PM Peak Hour conditions. The intersection of SW Hook Road and SW Pryor Road meets during the existing PM Peak Hour.

Table 2 below summarizes the Peak Hour Signal Warrant.

Intersection	Scenario	Major Street Volume	Minor Street Volume	Peak Hour	Peak Hour (70% Factor)
Scherer Rd	Existing AM	846	130	NO	YES
	Existing PM	987	194	NO	YES
Hook Rd	Existing AM	580	124	NO	NO
	Existing PM	692	173	NO	YES
Scherer Rd	Proposed AM	918	134	NO	YES
	Proposed PM	1058	211	YES	YES
Hook Rd	Proposed AM	623	126	NO	NO
	Proposed PM	738	184	NO	YES
Scherer Rd	Future AM	1323	196	YES	YES
	Future PM	1542	303	YES	YES
Hook Rd	Future AM	900	185	NO	YES
	Future PM	1071	266	YES	YES

The intersection of SW Scherer and SW Pryor Road currently meets peak hour signal warrants during the existing AM and PM Peak Hours based upon the 70% Factor. This intersection is also currently experiencing low levels of service in the PM Peak Hour. The intersection of SW Hook Road and SW Pryor Road also meets the existing peak hour signal warrant based upon the 70% Factor during the PM Peak Hour.

7) LEVEL OF SERVICE AND VOLUME/CAPACITY ANALYSES

Capacity analysis was used to quantify the impacts of the increased traffic on the intersections studied. The methodology outlined in the Highway Capacity Manual, 2000 and 2010 Editions, was used as a basis to perform the analysis for this study. Capacity analysis defines the quality of traffic operation for an intersection using a grading system called Level of Service (LOS). The LOS is defined in terms of average vehicle delay. Levels of service A through F have been established with A representing the best and F the worst.

Level of Service	Unsignalized Intersection	Signalized Intersection
A	< 10 Seconds	< 10 Seconds
B	< 15 Seconds	< 20 Seconds
C	< 25 Seconds	< 35 Seconds
D	< 35 Seconds	< 55 Seconds
E	< 50 Seconds	< 80 Seconds
F	≥ 50 Seconds	≥ 80 Seconds

The study intersections were evaluated using Synchro, an analysis package based in part on Highway Capacity Manual methods. The analysis reports are included in Appendix II.

Existing Conditions

The levels of service and lane configuration for existing conditions are shown in Figures 5 and 6 in Appendix I.

The individual movements at the unsignalized intersection of SW Pryor Road and SW Scherer are a level of service C or better in the AM Peak Hour except the southbound through movement which is a level of service F. During the PM Peak Hour, the level of service at the intersection of SW Pryor and SW Scherer road degrades with through movement on both southbound and northbound SW Pryor road experiencing a level of service F.

During the AM peak hour the intersection of SW Pryor Road and SW Hook Road experiences levels of service for individual movements at a level of service C or better. During the PM peak hour the intersection of SW Pryor Road and SW Hook Road experiences levels of service for individual movements at a level of service D or better.

During the AM Peak Hour, the western entrance to Hawthorne Hills Elementary School experiences a level of service D while SW Pryor Road experiences a level of service A for both directions. During the PM peak hour, the school entrance onto SW Pryor Road experiences a level of service B while SW Pryor Road remains a level of service A for both directions.

Proposed Conditions

The levels of service and lane configuration, for the ultimate buildout of the Whispering Woods development are shown in Figures 9 and 10 in Appendix I.

The individual movements for the unsignalized intersection of SW Pryor Road and SW Scherer Road remains a level of service C or better in both the AM Peak Hour except the through movements on SW Pryor Road which experiences a level D and F for northbound and southbound, respectively. During the PM Peak Hour, the level of service for both directions of SW Scherer Road remains level of service C or better. The northbound movement of SW Pryor Road degrades to a level of service F and the southbound movement of this intersection remains a level of service F.

Both the proposed AM and PM peak hour movements for the intersection of SW Pryor Road and SW Hook Road have individual turning movements with a level of service C or better except the PM southbound through movement which is a level of service D.

The newly constructed entrance onto SW Pryor Road that will service both the Whispering Woods residential development and Hawthorne Hills Elementary has a level of service C or better for all movements in both the AM Peak Hour and the PM Peak Hour.

The newly constructed north entrance into the Whispering Woods residential development experiences a level of service C or better for all movements in both the AM and PM peak hours.

8) TURN LANES AND ACCESS MANAGEMENT

The site has been laid out to provide for good site circulation and future connectivity. There are two local road connections to Pryor Road. Each connection will have 100' or more of throat length.

According to the City of Lee's Summit Access Management Code, both left and right turn lanes should be provided for connectors with arterial streets. In compliance with this code, turn lanes should be constructed at both entrances into the Whispering Woods Development. The City of Lee's Summit plans to improve Pryor Road in the future. An agreement between the developer and the City is needed to coordinate the improvements of the Developer and the City.

The spacing between the proposed southern entrance and SW Hook Road is approximately 1000'. The spacing between the southern entrance and the northern entrance into the development is approximately 1000'. The spacing between the northern entrance and SW Eagle Creek Drive is approximately 900'. The spacing of all intersections exceeds the Access Management Code.

The City of Lee's Summit Thoroughfare Master Plan indicates the potential for a future east/west arterial north of the Whispering Woods development and south of Scherer Road. This future arterial is not within the property limits of Whispering Woods. To the east of the Whispering Woods property lies Lee's Summit West High School. An arterial roadway located on the northern edge of the Whispering Woods property would also be located on the northern edge of the High School property. The internal roadway network within the Whispering Woods residential development allows for a connection to the north.

9) UNIMPROVED ROAD POLICY

The City of Lee's Summit Unimproved Road Policy outlines the relation to unimproved roads to proposed developments. Unimproved roads are typically those roads that are narrow in width with drainage ditches adjacent to the roadway. Traffic volumes collected on October 4, 2016 on SW Pryor Road showed a daily volume of 6745. Following the full build out of the Whispering Woods development, the total daily traffic volume is expected to be 8400 vehicles. The Unimproved Road Policy allows development up to 11000 vehicles per day when the road is brought to an interim standard with two 12-foot lanes and six-foot grass shoulders. SW Pryor Road adjacent to this project has twelve foot lanes and six-foot shoulders. Right and left turn lanes are proposed to be constructed at both entrances.

10) FUTURE CONDITIONS

A future scenario was created in order to estimate traffic volumes through study intersections in the year 2036. A 2% growth factor was applied to background traffic volumes to generate this scenario which is illustrated in Figures 11-14 in Appendix I.

If left unsignalized in the year 2036, the intersection of SW Pryor Road and SW Scherer Road would experience a level of service D for movements in both directions on SW Scherer Road and a level of service as low as F for movements in both directions on SW Pryor Road during the AM peak hour. During the PM Peak Hour, the individual movements would degrade on SW Scherer road with levels of service as low as F.

The unsignalized intersection of SW Pryor Road and SW Hook Road would be expected to function well with levels of service of C or better in the AM Peak Hour except the through movements of SW Pryor road which are levels of service F. During the PM Peak hour, the Westbound through movement on SW Hook Road would degrade to a level of service D, through movements on SW Pryor Road would experience level of service F with all other movements level of service C or better.

Based upon the signal warrants discussed in Section 6 of this report, it is anticipated that both the SW Scherer Road intersection and the SW Hook Road will be signalized in the future scenario. These intersections were modeled with traffic signals and projected 2036 traffic volumes. The results of these models are illustrated in Figures 15 and 16. Both intersections are expected to function well in the future scenario once signalized.

11) RECOMMENDATIONS & CONCLUSIONS

This study documents the impact of the proposed Whispering Woods Development on adjacent intersections during the AM and PM peak hours. Based on the findings of this report, the following improvements are recommended:

- Construction of a 150' northbound right-turn lane into the southern (School) entrance
- Construction of a 150' northbound right-turn lane into the North Entrance
- Construction of a 200' southbound left-turn lane into the southern (School) entrance
- Construction of a 200' southbound left-turn lane into the North Entrance
- Construct two westbound lanes at the southern entrance of the development

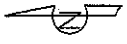
The intersection of SW Pryor Road and SW Scherer Road should be considered and monitored for signalization. The intersection meets peak hour signal warrants during the existing AM and PM Peak Hours based upon the 70% Factor discussed in section 6 of this report. Although this intersection will warrant a traffic signal without the addition of this development's traffic, Whispering Woods will increase traffic volumes at this intersection which is already experiencing declining levels of service. City staff has indicated potential planned improvements at this location, an agreement between the developer and the City is needed to coordinate details on this improvement.

The intersection of SW Pryor Road and SW Hook Road meets peak hour signal warrants during the existing PM Peak Hour based upon the 70% Factor discussed in section 6 of this report. The addition of the Whispering Woods development traffic does not change the levels of service at this intersection during either the AM or PM Peak Hours. Neither are additional peak hour signal warrants met. This intersection will continue to function reasonably well, but will likely require a traffic signal in the future as additional development occurs in the area, but is not recommended in conjunction with this development.

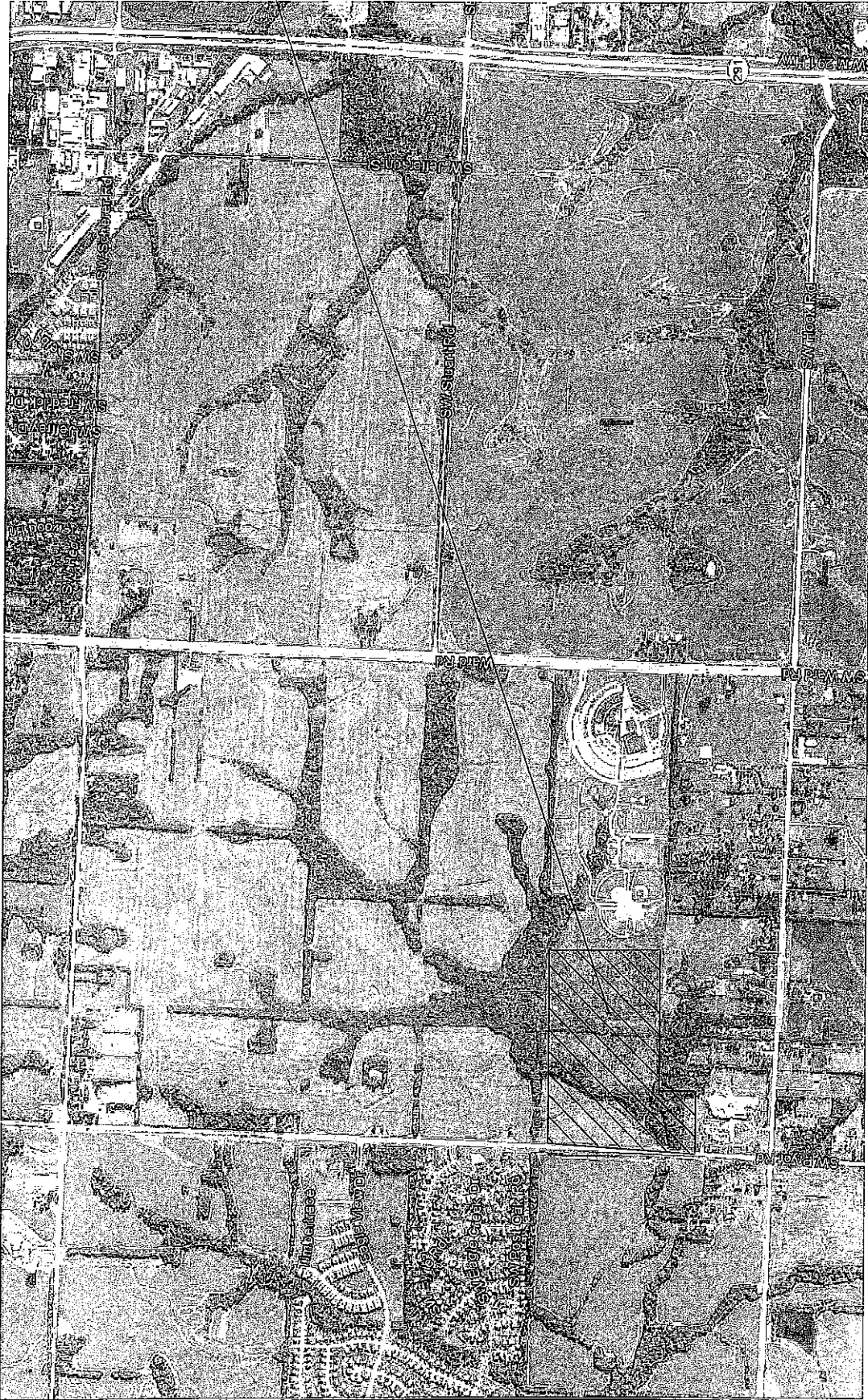
No additional improvements are necessary as a result of this development.

APPENDIX I

Project Location	Figure 1
Site Plan	Figure 2
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Existing PM Peak Hour Traffic Volumes	Figure 4
Existing AM Peak Hour Lane Configurations & Levels of Service	Figure 5
Existing PM Peak Hour Lane Configurations & Levels of Service	Figure 6
Proposed AM Peak Hour Traffic Volumes	Figure 7
Proposed PM Peak Hour Traffic Volumes	Figure 8
Proposed AM Peak Hour Lane Configurations & Levels of Service	Figure 9
Proposed PM Peak Hour Lane Configurations & Levels of Service	Figure 10
Future (2036) AM Peak Hour Traffic Volumes	Figure 11
Future (2036) PM Peak Hour Traffic Volumes	Figure 12
Future (2036) AM Peak Hour Lane Configurations & Levels of Service	Figure 13
Future (2036) PM Peak Hour Lane Configurations & Levels of Service	Figure 14
Future (2036) AM Peak Hour Lane Configurations & Levels of Service (with Signals)	Figure 15
Future (2036) PM Peak Hour Lane Configurations & Levels of Service (with Signals)	Figure 16



Project
Location



priority
MAIL PERMITS

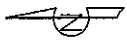
PO Box 563
Garden City, MO 64747
816.738.4400

No Scale

Figure 1

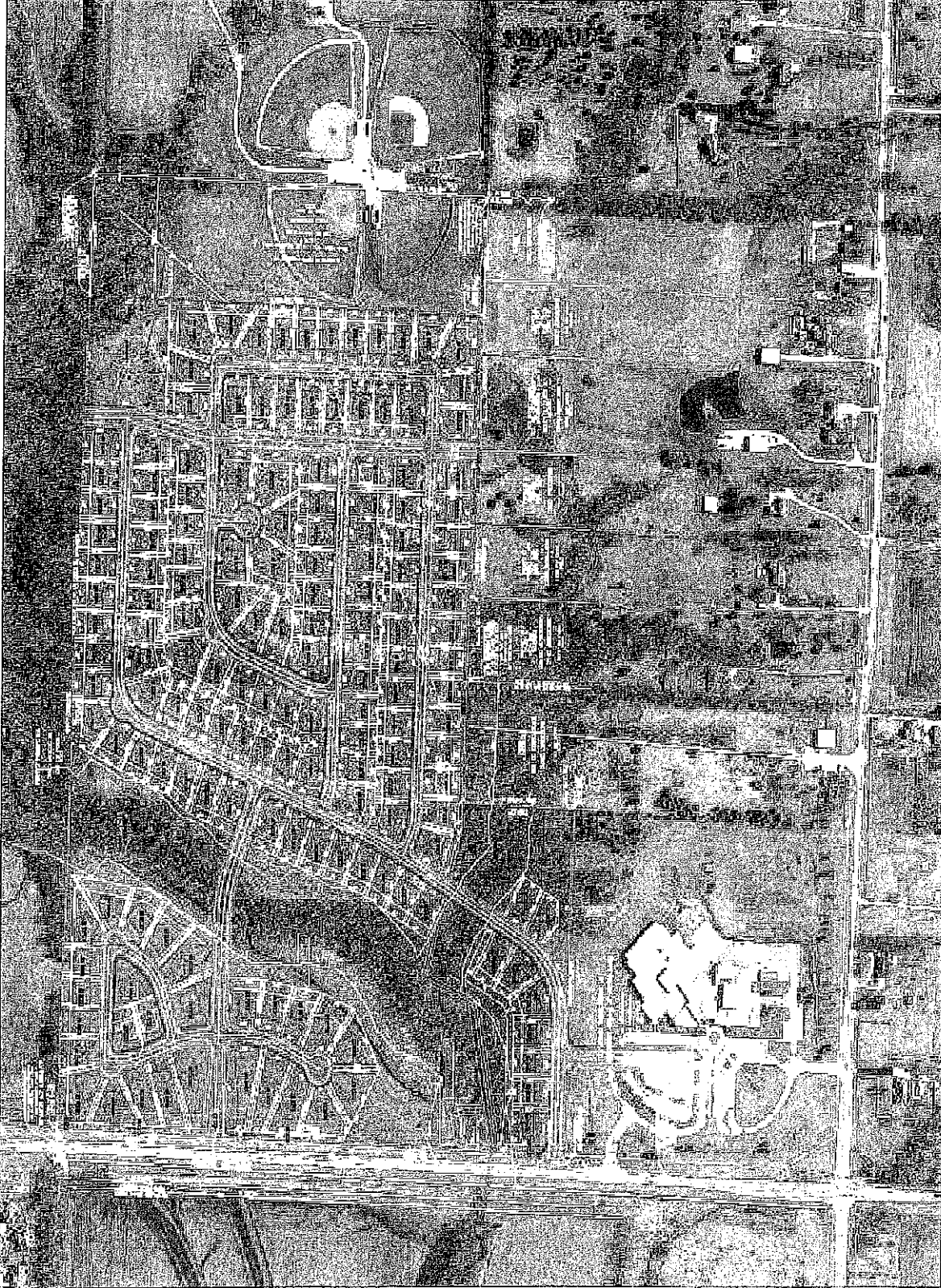
Whispering Woods
Lee's Summit, MO

Project Location



PROLOGY
ENGINEERING

PO Box 563
Garden City, MO 64747
816.738.4400

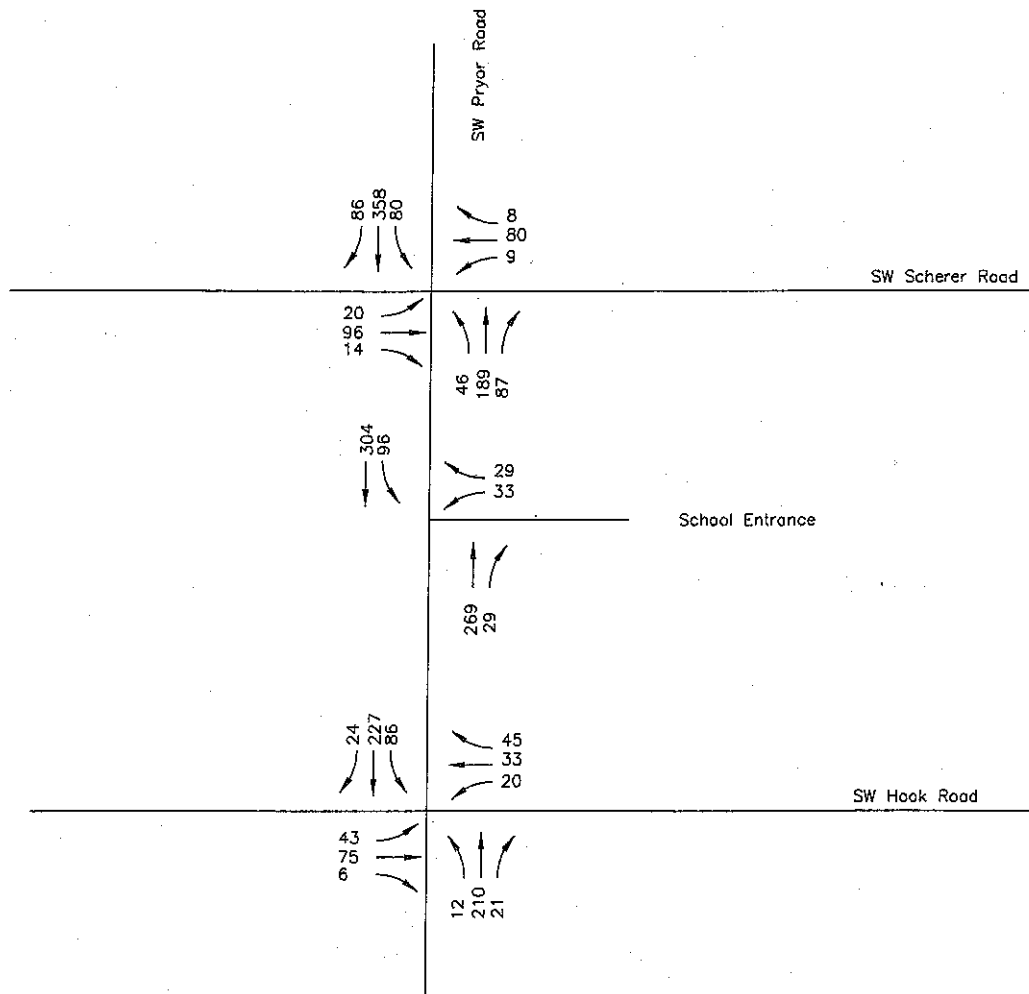


No Scale


Figure 2

Whispering Woods
Lee's Summit, MO

Site Plan



LEGEND

 Total Volume

Existing AM Peak Hour
Traffic Volumes

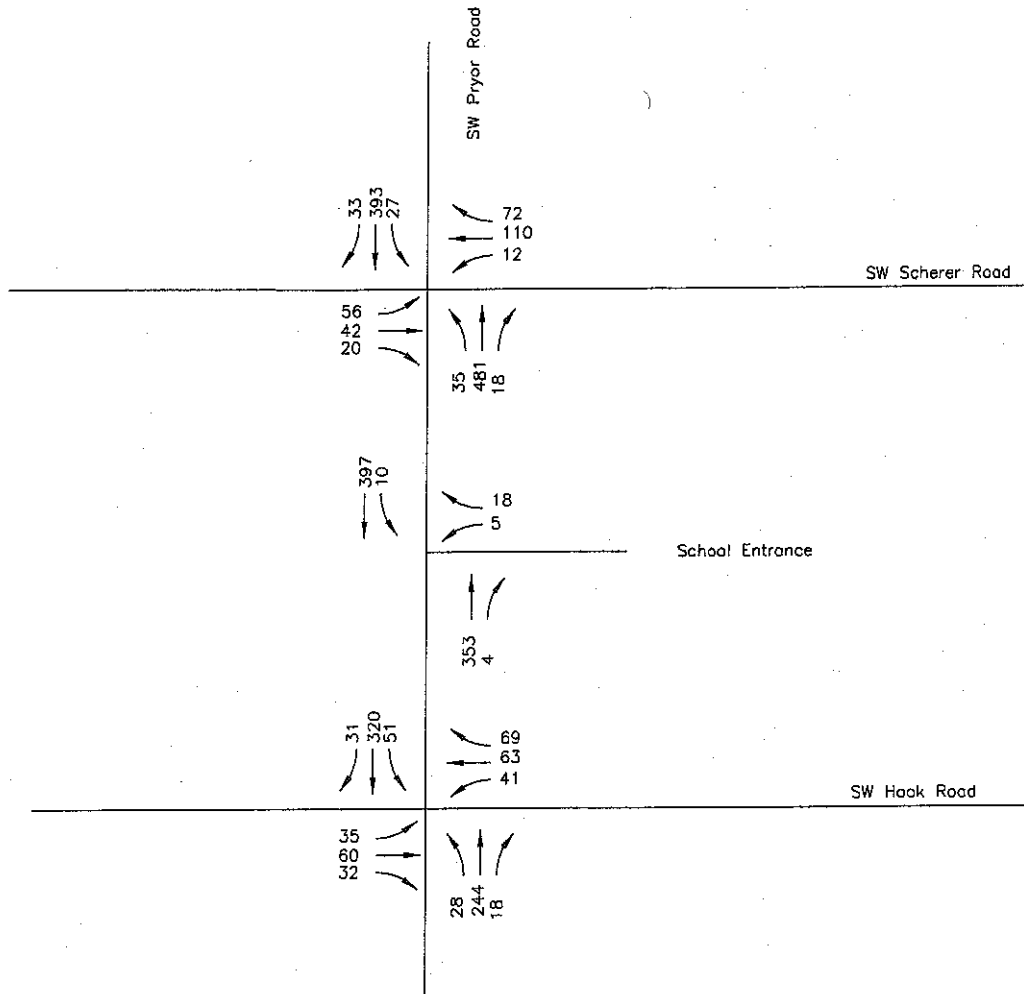
Whispering
Woods
Lee's Summit, MO

No Scale


Figure 3



Priority
ENGINEERS



LEGEND

 Total Volume

Existing PM Peak Hour
Traffic Volumes

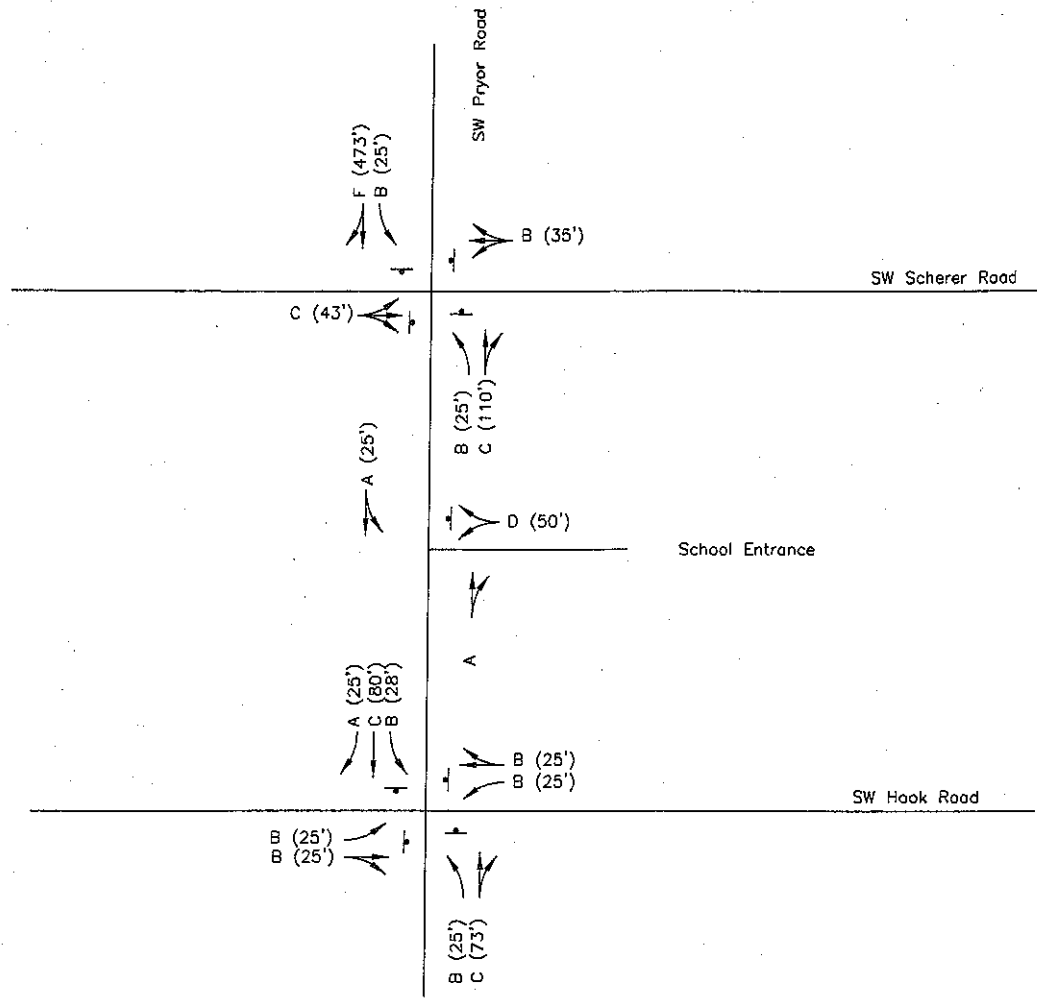
Whispering
Woods
Lee's Summit, MO

No Scale

Figure 4



Proton
ENGINEERS



LEGEND

- Y HCM LOS
- T Stop Sign
- ⊙ Traffic Signal LOS

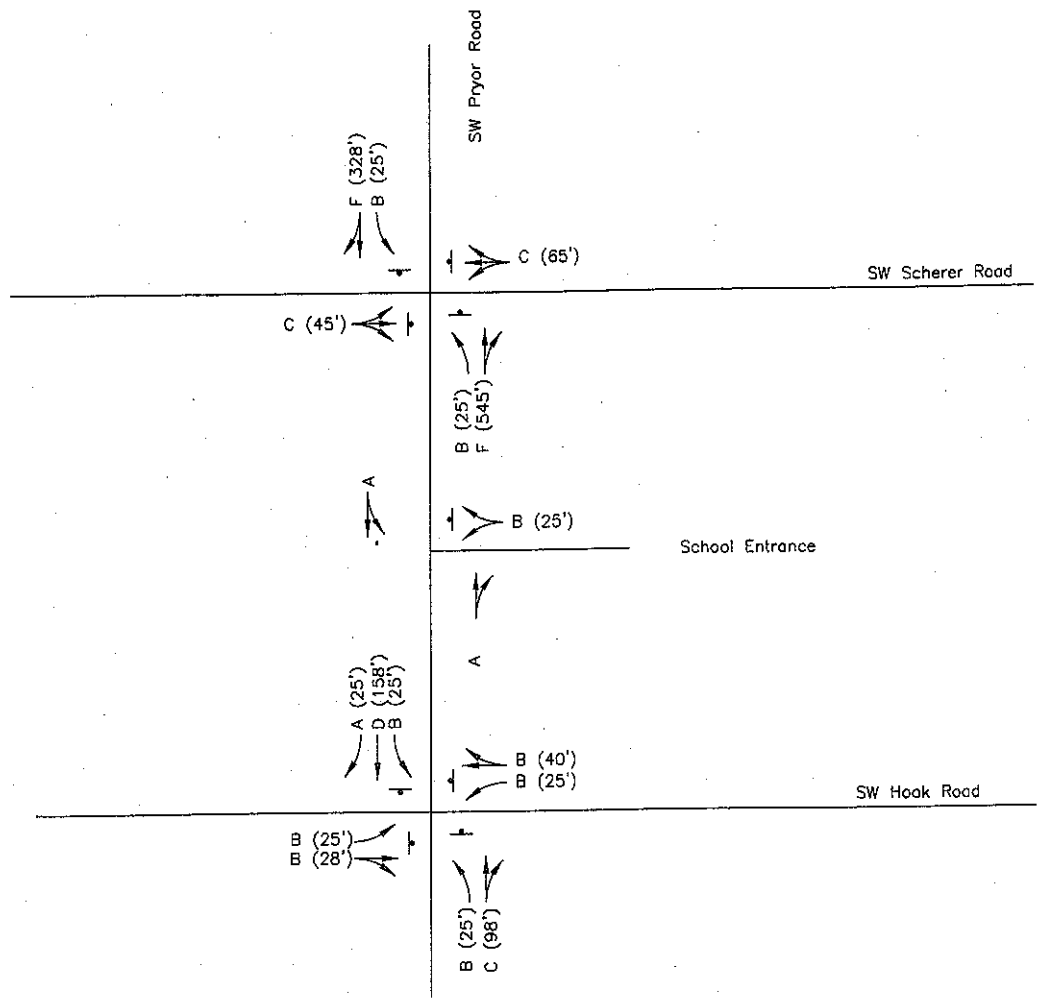
Existing AM Peak Hour
Lane Configuration &
Levels of Service

Whispering
Woods
Lee's Summit, MO

No Scale
Figure 5



planning
ENGINEERS



LEGEND

- HCM LOS (95th Percentile Queue)
- Stop Sign
- Traffic Signal LOS

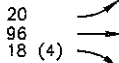
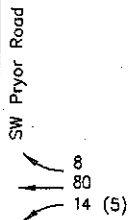
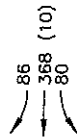
Existing PM Peak Hour
Lane Configuration &
Levels of Service

Whispering
Woods
Lee's Summit, MO

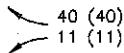
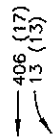
No. Scale
Figure 6



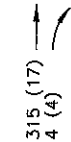
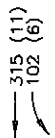
PRIORITY
PLANNING & DESIGN, INC.



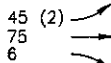
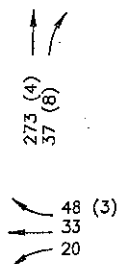
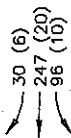
SW Scherer Road



North Entrance




School Entrance



SW Hook Road

LEGEND

 Total Volume (Proposed Development)

Existing + Proposed Development
AM Peak Hour Traffic Volumes

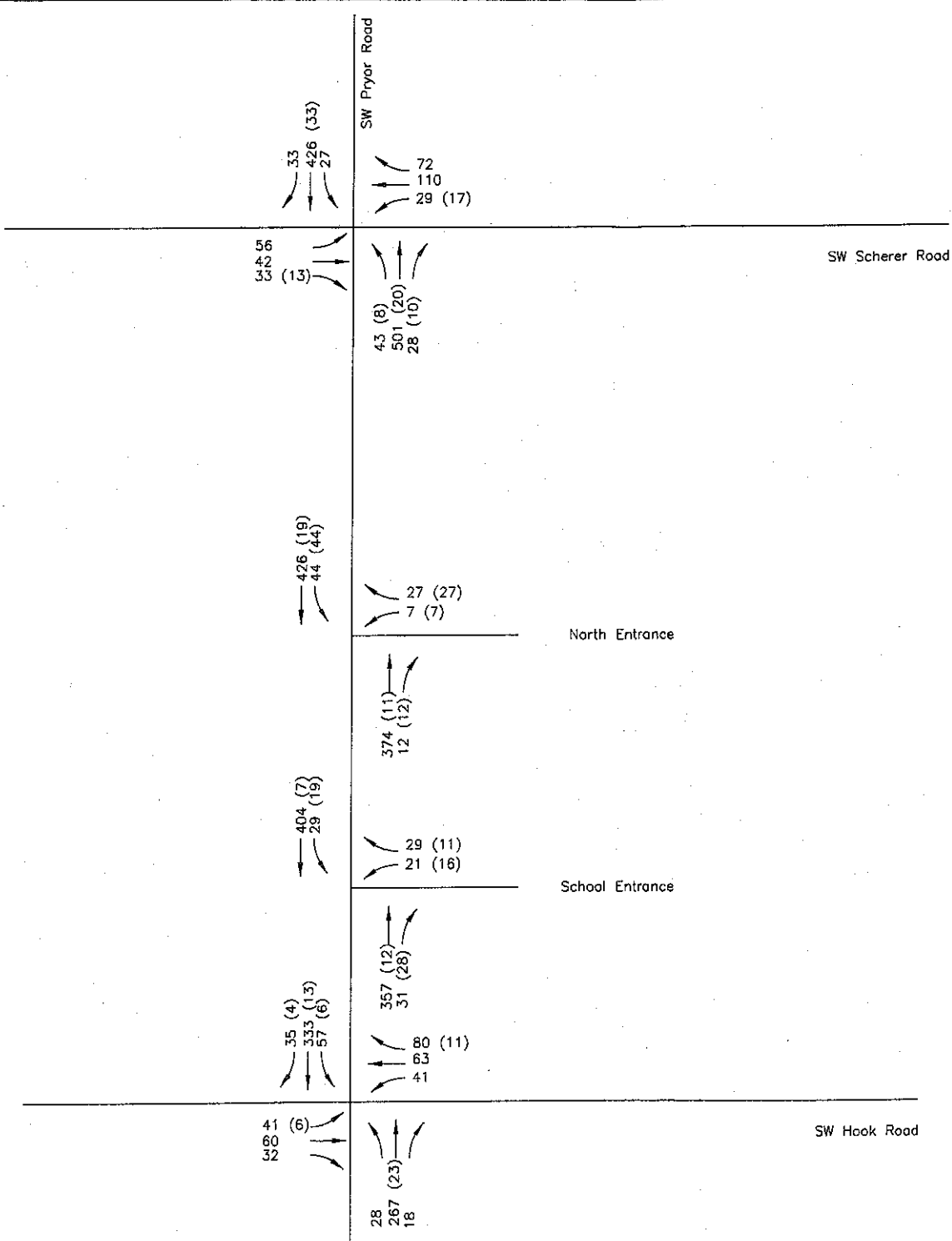
Whispering
Woods
Lee's Summit, MO

No Scale

Figure 7



PROTECTOR
1100 W. B. R. R. - 201



LEGEND

Total Volume (Proposed Development)

Existing + Proposed Development
PM Peak Hour Traffic Volumes

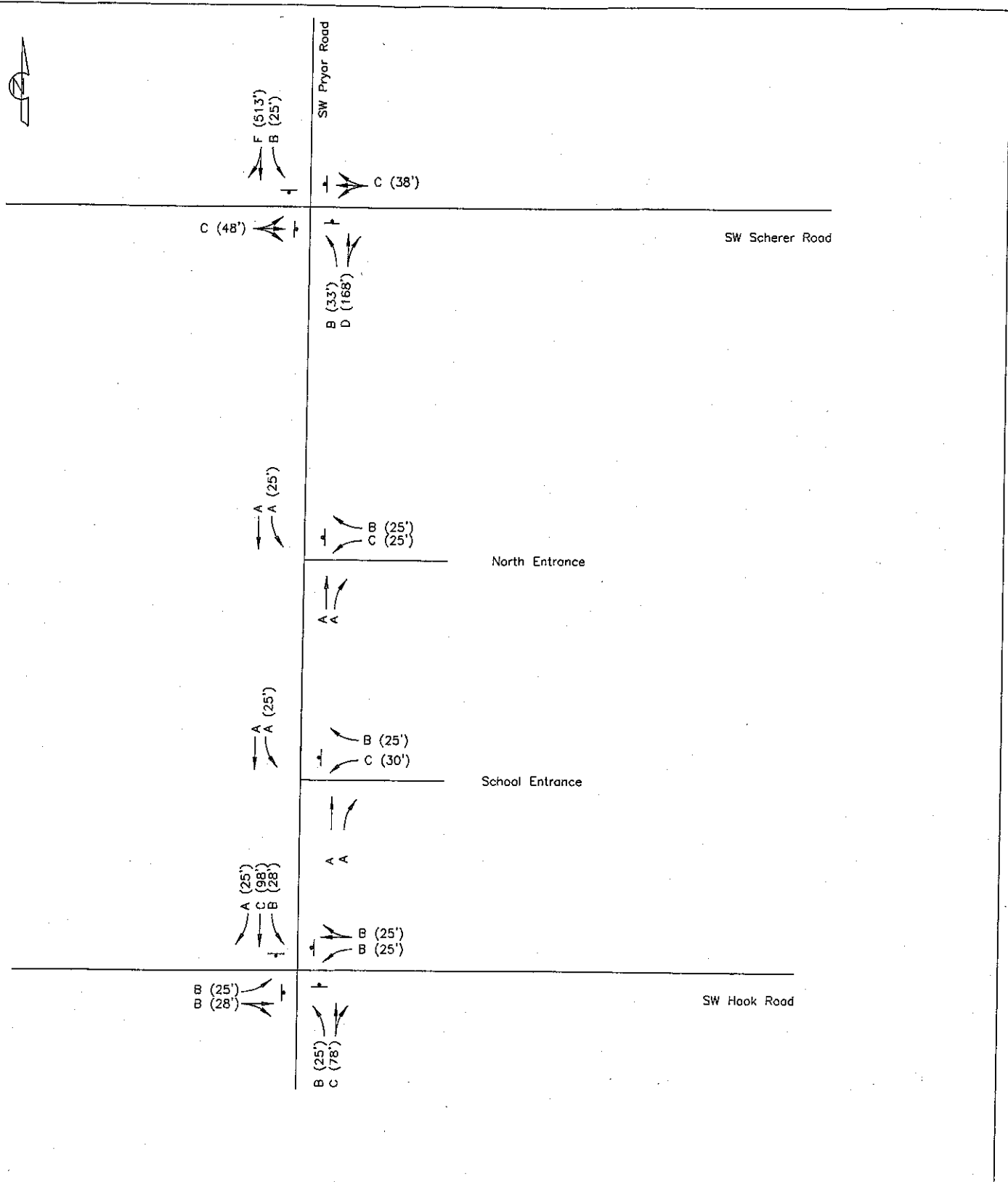
Whispering
Woods
Lee's Summit, MO

No Scale

Figure 8



PRIORITY
ENGINEERING



LEGEND

- HCM LOS (95th Percentile Queue)
- Stop Sign
- Traffic Signal LOS

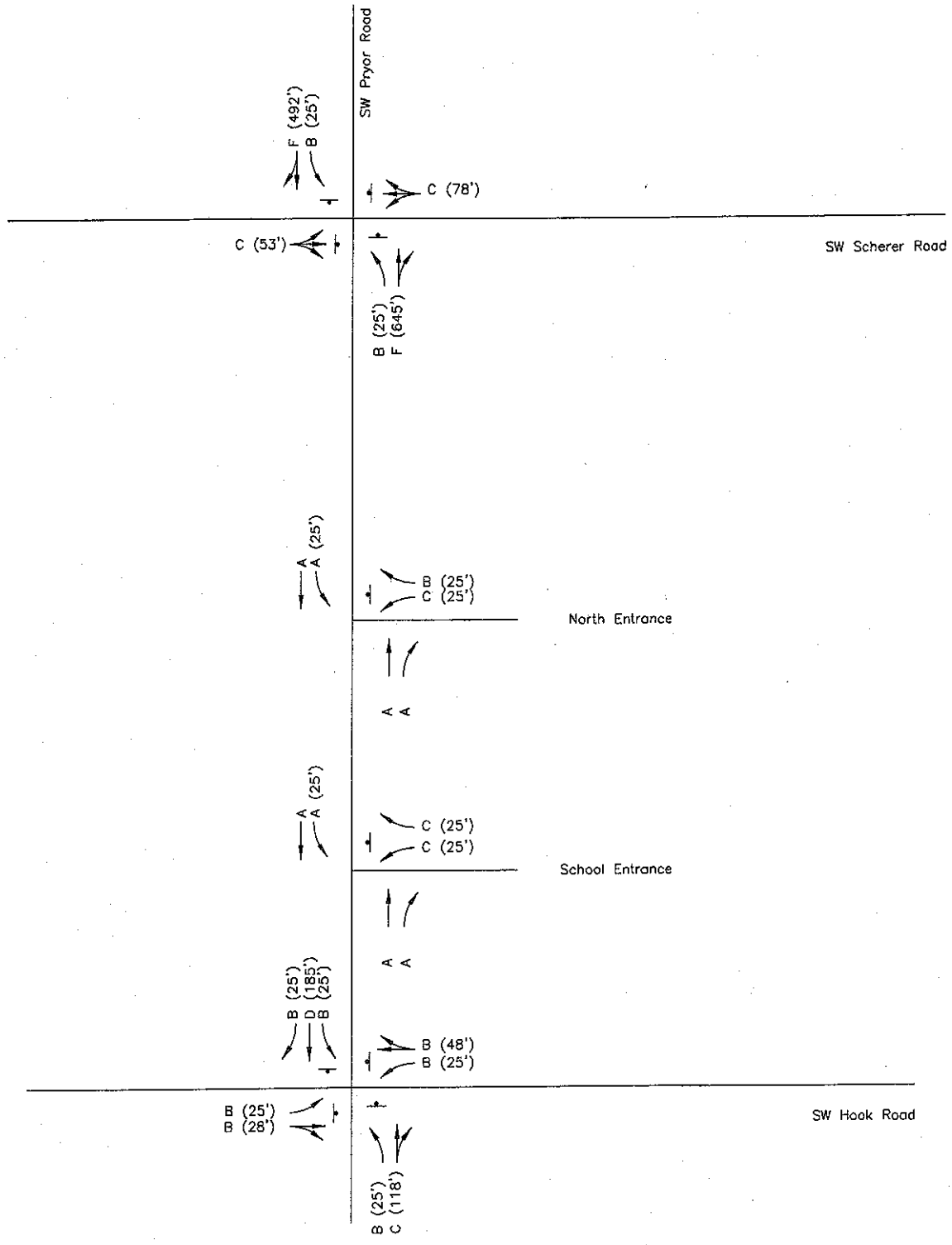
Existing + Proposed Development
 AM Peak Hour Lane Configuration
 & Levels of Service

Whispering
 Woods
 Lee's Summit, MO

No Scale
 Figure 9



Engineering Firm Name
 1234567890



LEGEND

- HCM LOS (95th Percentile Queue)
- Stop Sign
- Traffic Signal LOS

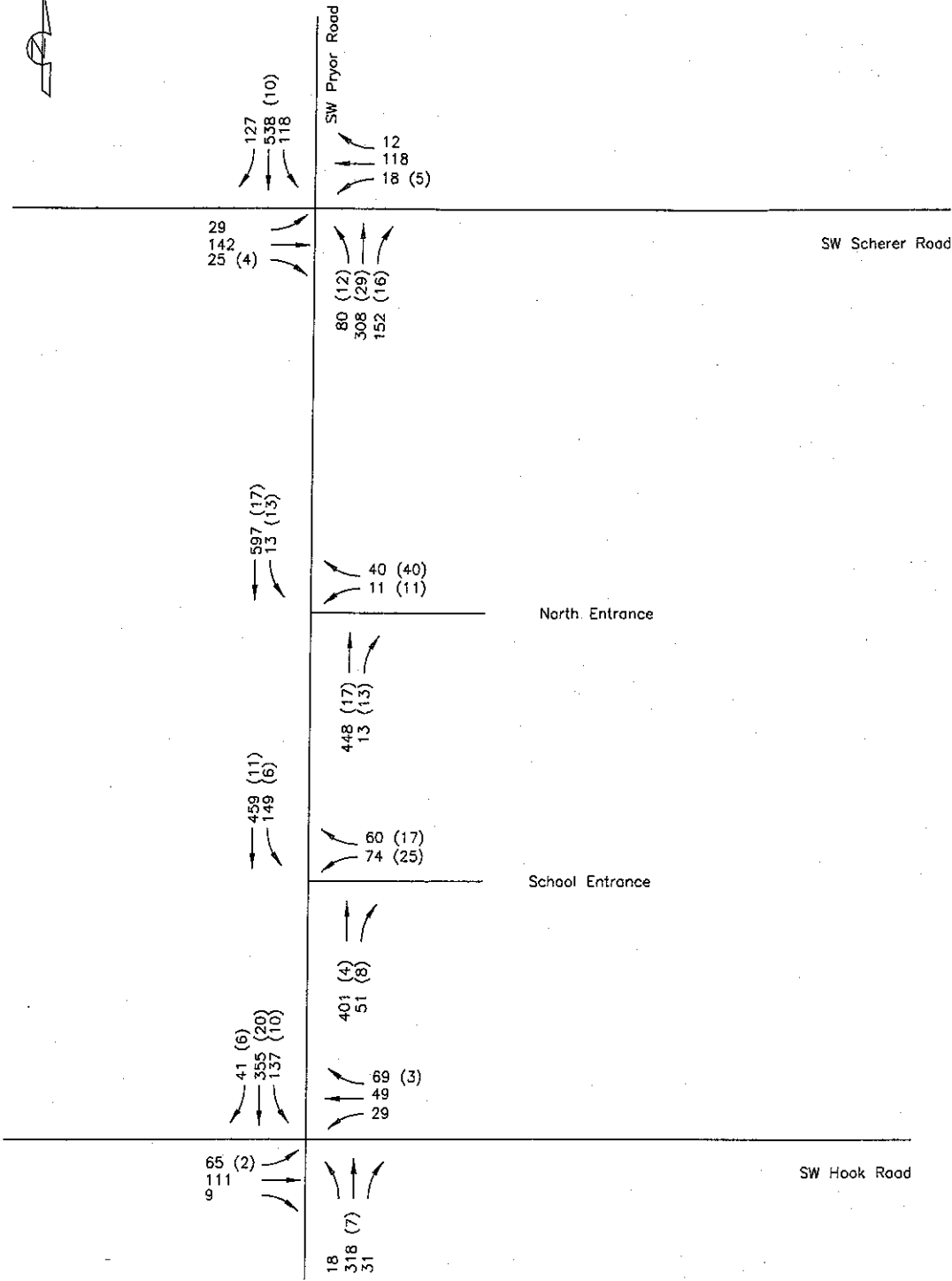
Existing + Proposed Development
PM Peak Hour Lane Configuration
& Levels of Service

Whispering
Woods
Lee's Summit, MO

No Scale
Figure 10



priority
ENGINEERS



LEGEND

Total Volume (Proposed Development)

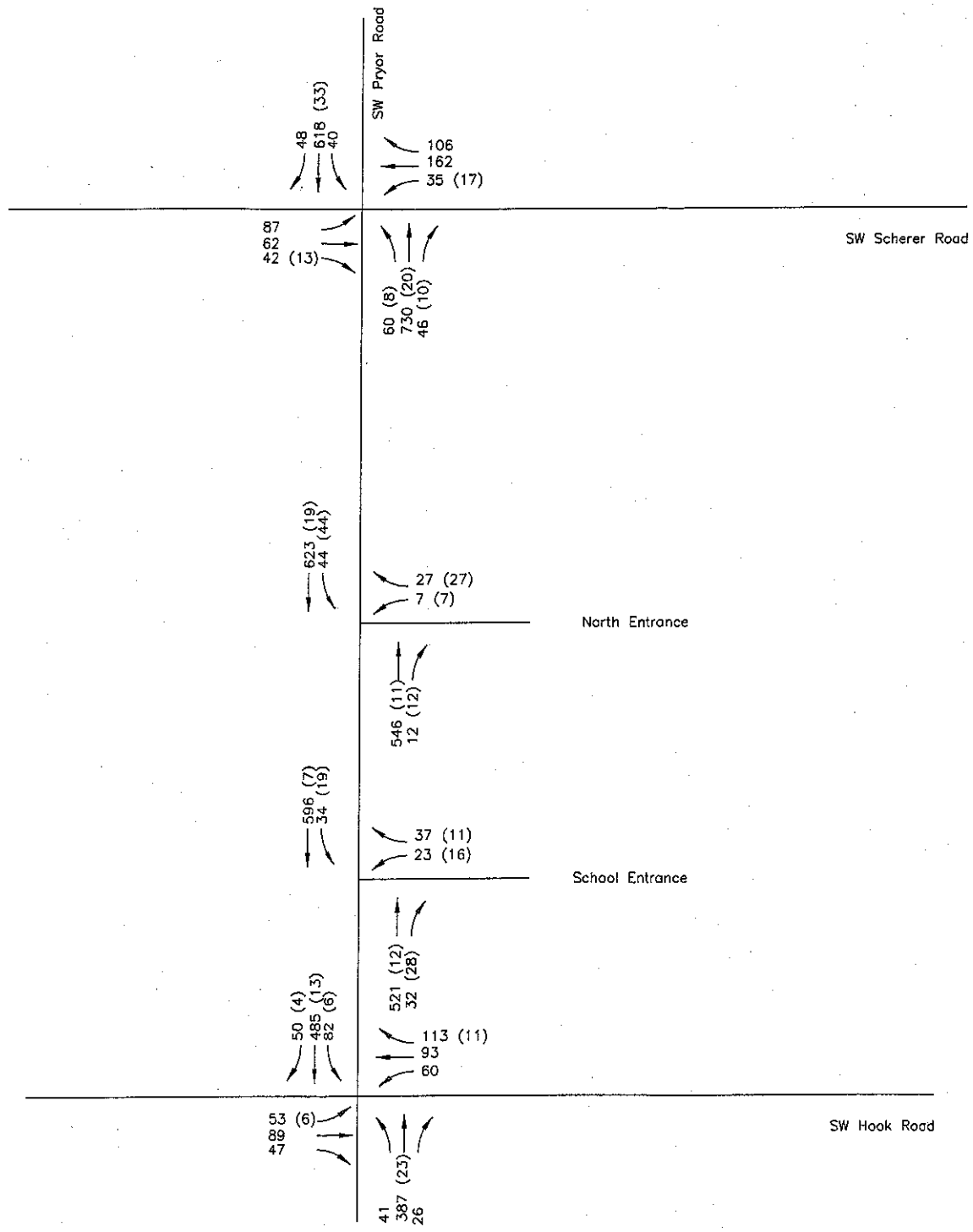
Future (2036)
AM Peak Hour Traffic Volumes

Whispering
Woods
Lee's Summit, MO

No Scale
Figure 11



PRYOR
ENGINEERING



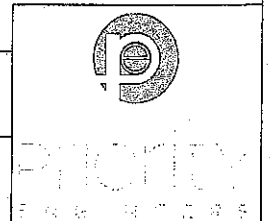
LEGEND

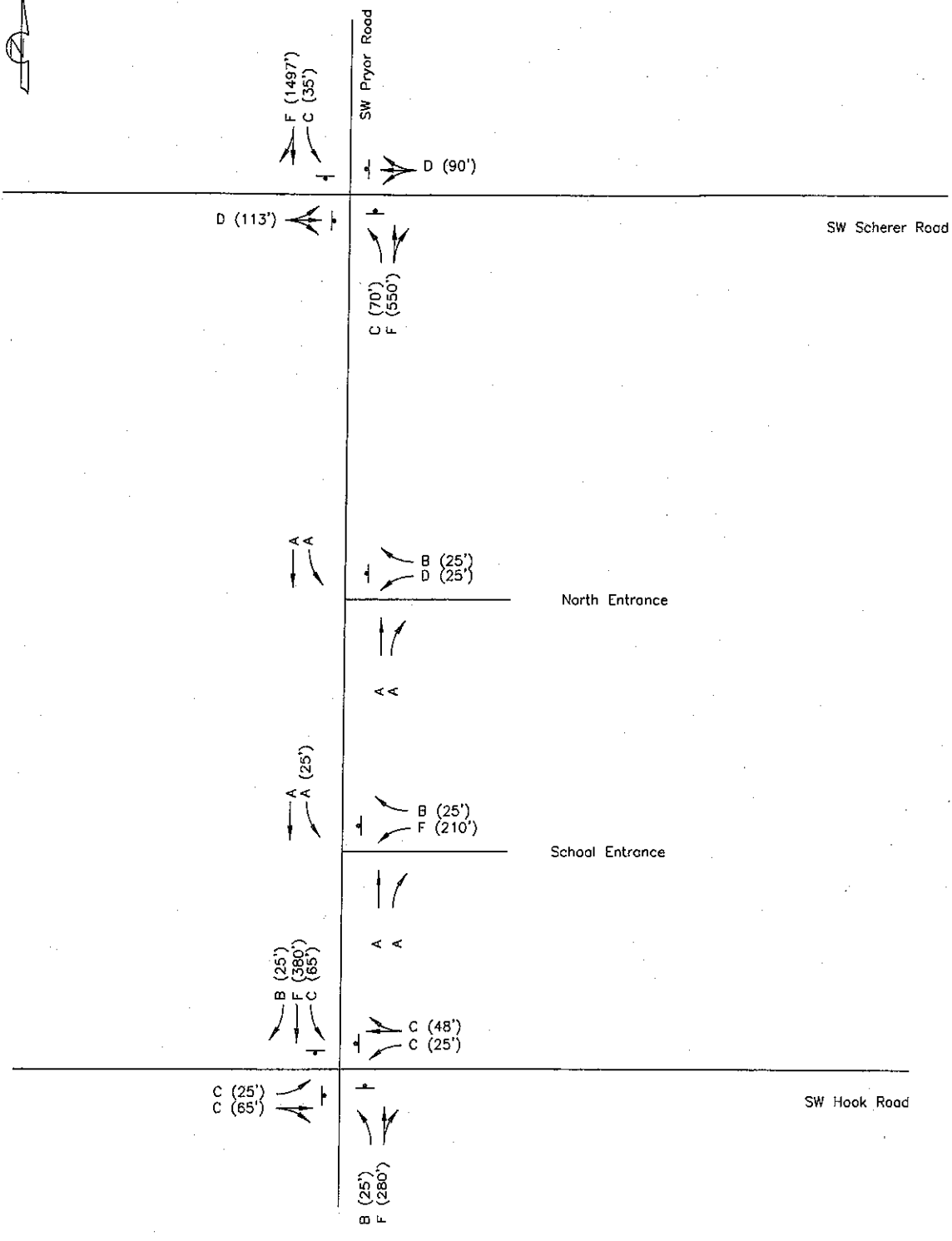
Total Volume (Proposed Development)

Future (2036)
PM Peak Hour Traffic Volumes

Whispering
Woods
Lee's Summit, MO

No Scale
Figure 12



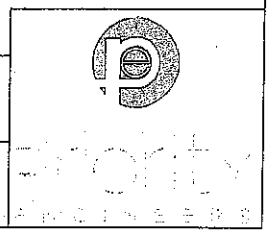


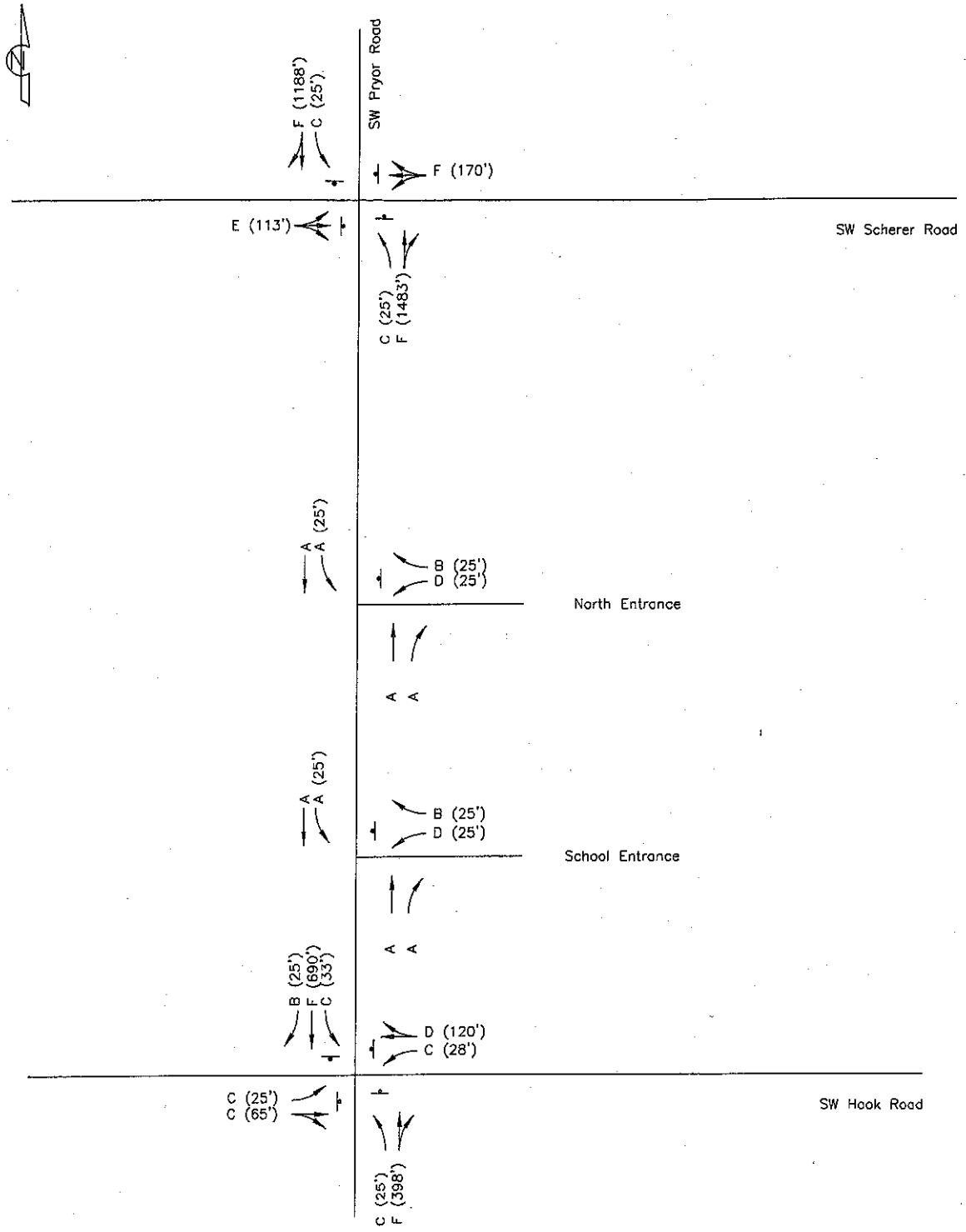
- LEGEND**
- HCM LOS (95th Percentile Queue)
 - Stop Sign
 - Traffic Signal LOS

Future (2036)
AM Peak Hour Lane Configuration
& Levels of Service

Whispering
Woods
Lee's Summit, MO

No Scale
Figure 13





LEGEND

- HCM LOS (95th Percentile Queue)
- Stop Sign
- Traffic Signal LOS

Future (2036)
PM Peak Hour Lane Configuration
& Levels of Service

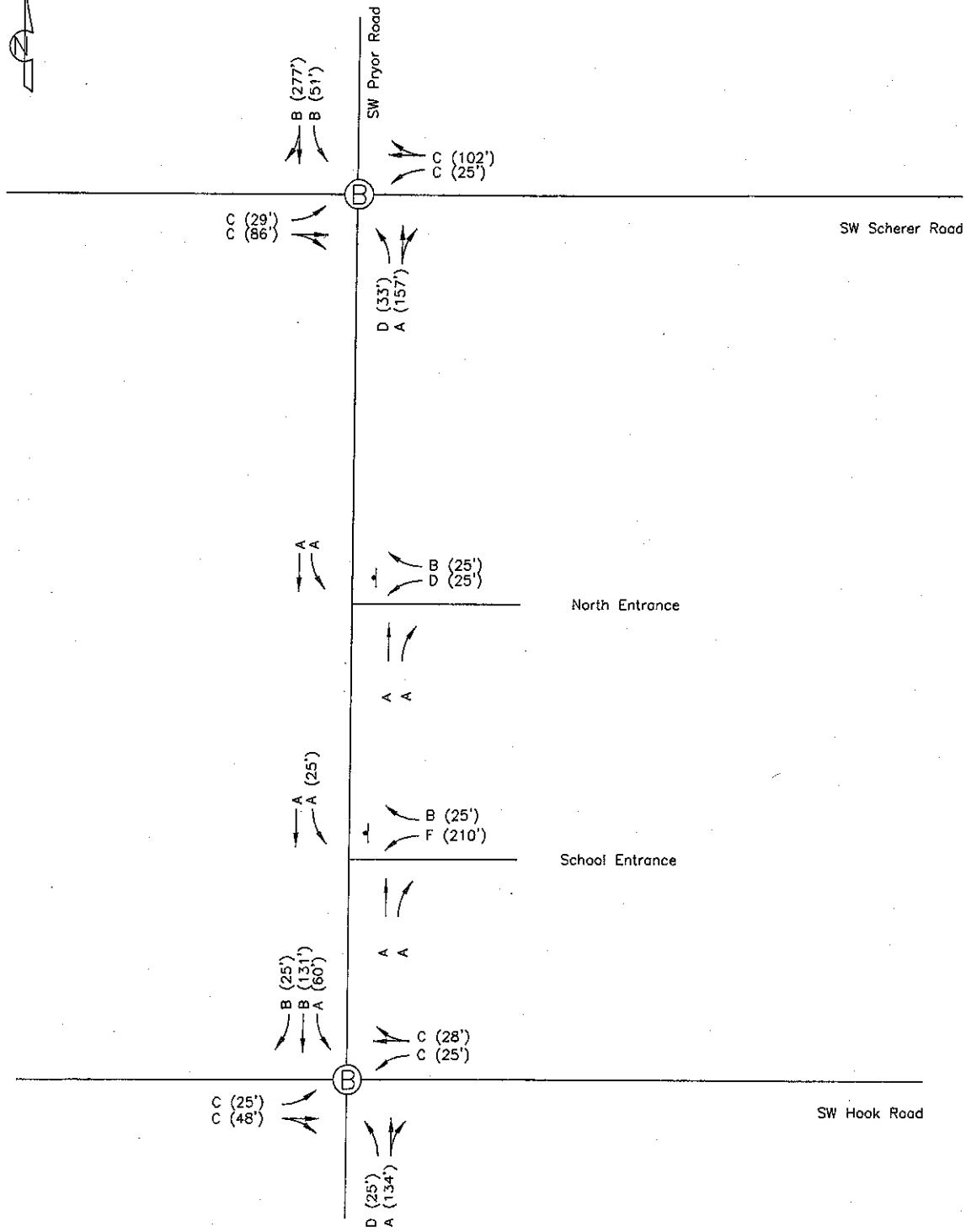
Whispering
Woods
Lee's Summit, MO

No. Scale

Figure 14



Priority
ENGINEERS



Future (2036) with Signals
 AM Peak Hour Lane Configuration
 & Levels of Service

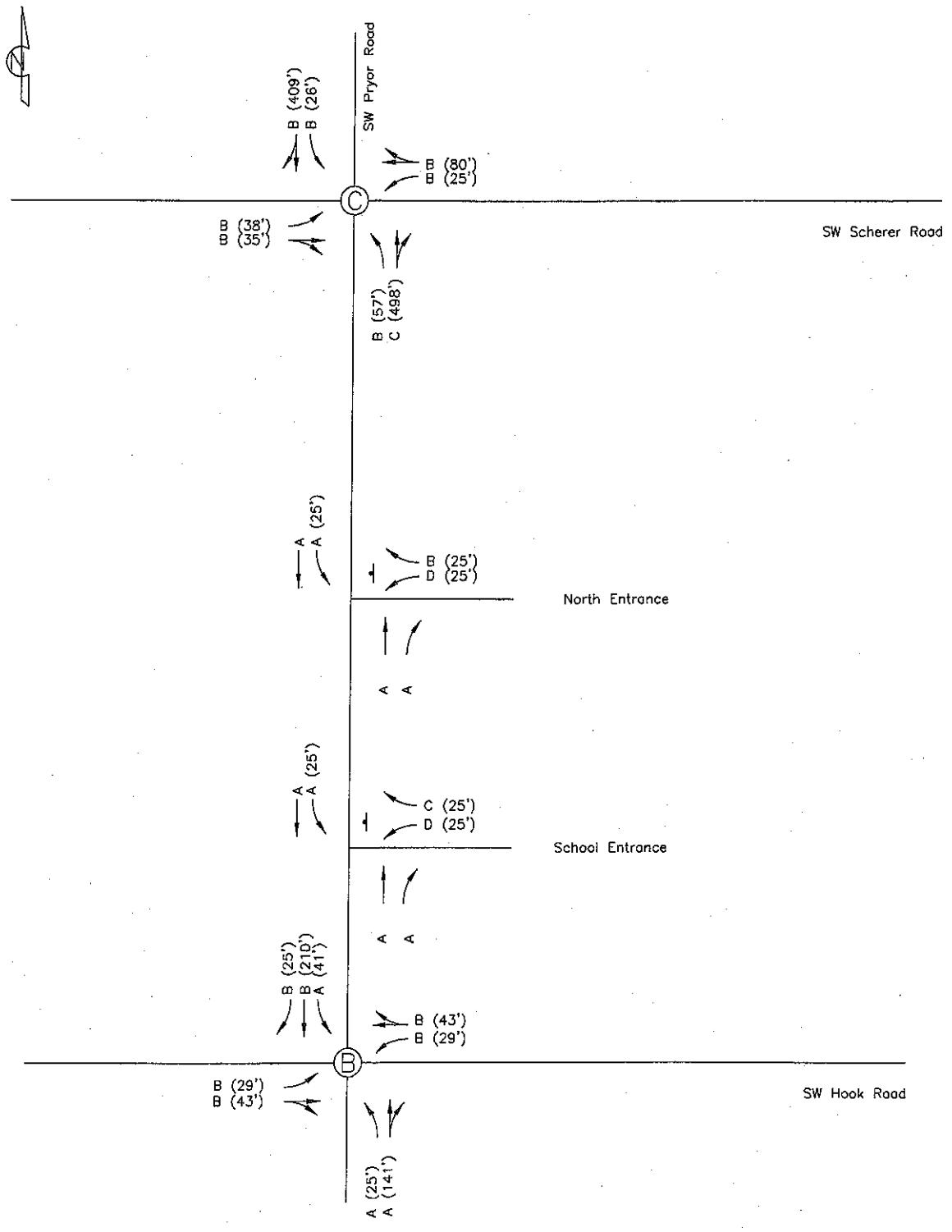
Whispering
 Woods
 Lee's Summit, MO

No Scale

Figure 15



Frontier
 ENGINEERS



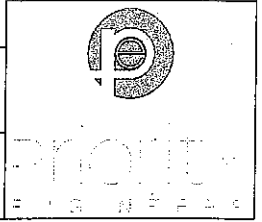
LEGEND

- HCM LOS (95th Percentile Queue)
- Stop Sign
- Traffic Signal LOS

Future (2036) with Signals
 PM Peak Hour Lane Configuration
 & Levels of Service

Whispering
 Woods
 Lee's Summit, MO

No Scale
 Figure 16



APPENDIX II

Peak Hour Traffic Counts

Synchro Reports

Existing AM Peak Hour	Pages 1-4
Existing PM Peak Hour	Pages 5-8
Proposed AM Peak Hour	Pages 9-13
Proposed PM Peak Hour	Pages 14-18
Future (2036) AM Peak Hour	Pages 19-23
Future (2036) PM Peak Hour	Pages 24-28
Future (2036) AM Peak Hour (with signals)	Pages 29-34
Future (2036) PM Peak Hour (with signals)	Pages 35-40



January 10, 2017

Mr. Rick Frye
 Whispering Woods Land, LLC
 803 P.C.A. Road
 Warrensburg, MO 64093

Re: Whispering Woods – Lee's Summit, MO

Dear Mr. Frye:

In response to your request, Priority Engineers, Inc. has completed a review of the intersection of SW Pryor Road and SW Scherer Road. The purpose of this analysis is to determine if a signal is currently warranted at this location.

This intersection was previously reviewed for the Whispering Woods Traffic Impact Study dated January 3, 2017. For the purposes of the Traffic Impact Study, Priority Engineers, Inc. collected traffic data on October 6, 2016 and performed an analysis of the typical peak hours of 07:00-09:00 and 16:00-18:00. This analysis determined if the Manual of Uniform Traffic Control Devices (MUTCD) conditions for warranting a signal during the peak hour (Warrant 3) were met. The results of the existing conditions Peak Hour are summarized in Table 1.

Intersection	Scenario	Major Street Volume	Minor Street Volume	Peak Hour	Peak Hour (70% Factor)
Scherer Rd & Pryor Rd	Existing AM	846	130	NO	YES
	Existing PM	987	194	NO	YES

Many municipalities have limited transportation resources. To maximize their infrastructure investments, Owner-Agencies often require additional MUTCD Warrants to be met before considering signalization of an intersection. To determine if additional MUTCD warrants were met, traffic count data was reviewed for the thirteen-hour period of 06:00-19:00 collected on October 6, 2016. Analysis of this data for the 4 Hour Warrant (Warrant 2) is summarized in Table 2. Based upon this analysis a signal is warranted at this location with existing traffic volumes.

Intersection	Time	Northbound + Southbound Volume	Eastbound Volume	Westbound Volume	Meets 4 Hour Warrant (70%)
Scherer Rd & Pryor Rd	06:45-07:45	780	114	95	YES
	07:45-8:45	719	109	61	YES
	16:00-17:00	786	115	146	YES
	17:00-18:00	985	109	202	YES

During the January 3rd, 2017 meeting with the developer and City of Lee's Summit Staff, timelines for both the potential improvements at the SW Pryor and SW Scherer intersection and the phases of the development were discussed. The City estimated that if it was determined that existing conditions warranted the programming of an intersection upgrade that these upgrades would most likely occur around the anticipated construction of the 1st phase of the development and potentially could still be under construction during portions of the 2nd Phase. Trip Generation for Phase 1 and Phase 2 of the development were estimated using the Institute of Transportation Engineers' Trip Generation, 9th Edition. Land Use 210, Single Family Detached Residences, was used. The estimated AM and PM peak hour traffic volumes associated with these uses are shown in Table 3.

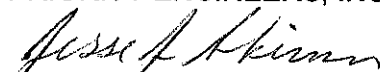
Land Use	Intensity	Daily	AM Peak			PM Peak		
			Total	In	Out	Total	In	Out
Total (All Phases)	164 Units	1655	124	31	93	164	103	61
Phase 1	33 Units	333	25	6	19	33	21	12
Phase 2	35 Units	353	26	7	19	35	22	13

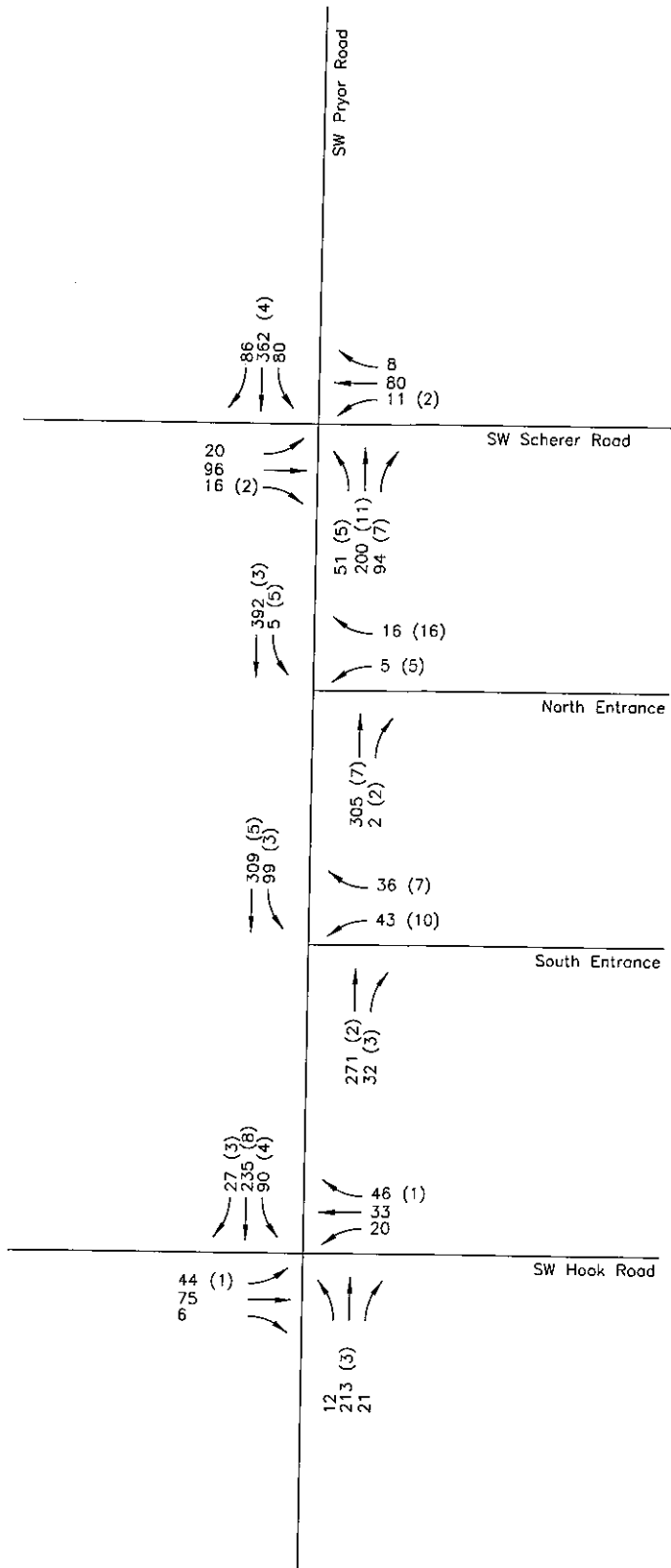
The combination of additional trips generated by Phase 1 and Phase 2 of the development equate to 2.8% of the total traffic entering the intersection during the AM Peak hour and 3.1 % of the traffic during the PM Peak Hour. Based upon these nominal increases in traffic, it is my recommendation that these Phases of the development be allowed to be constructed without regard to the status of the intersection upgrade to signalization.

We appreciate the opportunity to work with you on this project. Please contact us with any questions or if you require additional information.

Sincerely,

PRIORITY ENGINEERS, INC.


 Jesse Skinner, P.E., PTOE
 Senior Transportation Engineer



LEGEND



Total Volume [Approved]

Existing Phases 1 & 2
AM Peak Hour Traffic Volumes

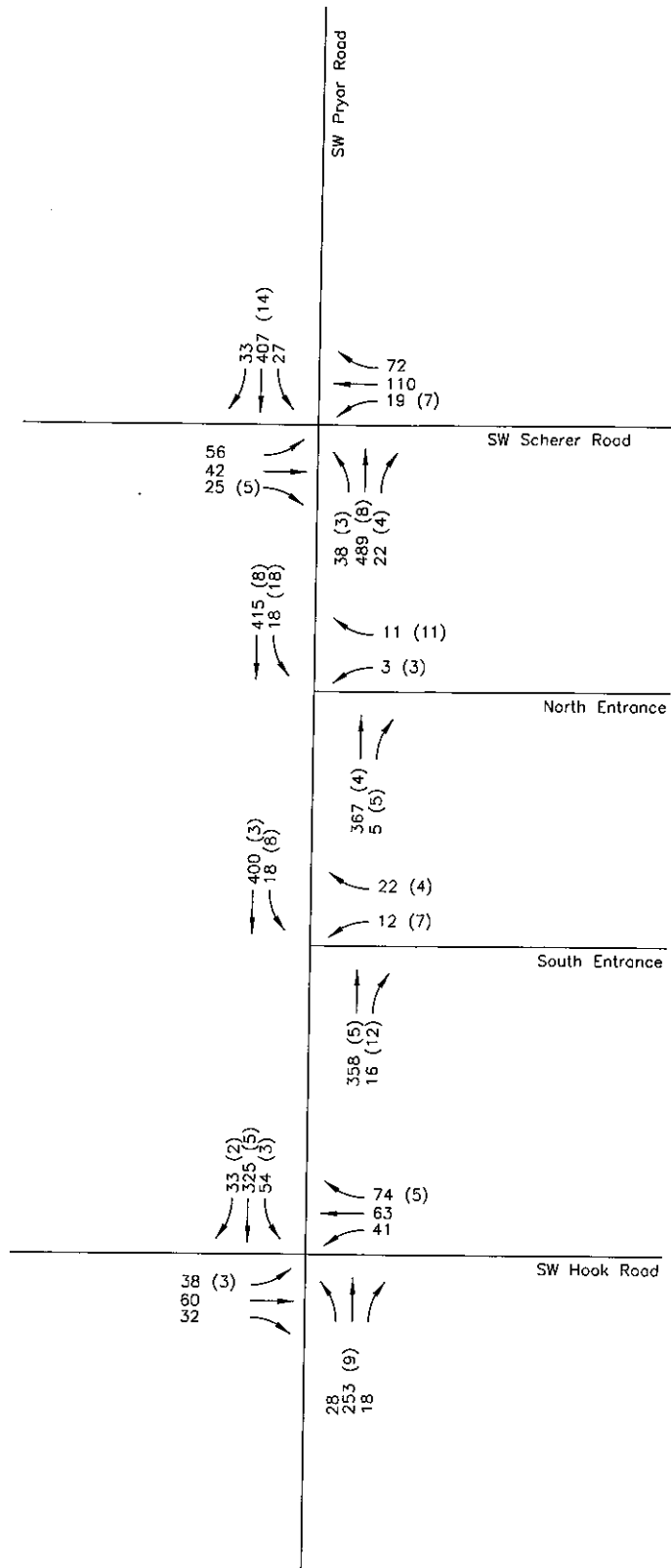
Whispering Woods
Lee's Summit, MO

No Scale

Exhibit A



Priority
ENGINEERS



LEGEND



Total Volume [Approved]

Existing Phases 1 & 2
PM Peak Hour Traffic Volumes

Whispering
Woods
Lee's Summit, MO

No Scale

Exhibit B

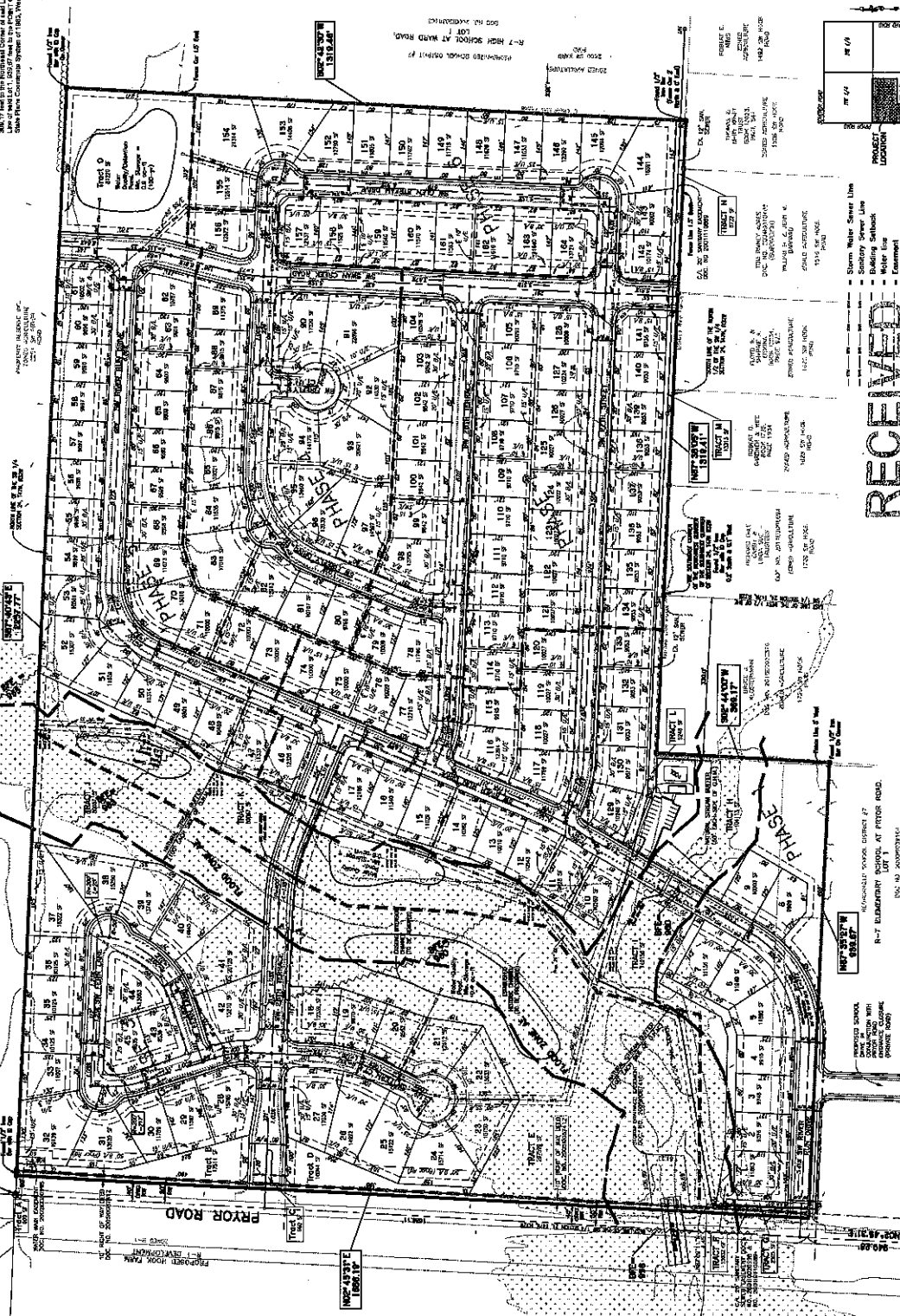


Priority
ENGINEERS

Time	SB Right	SB Thru	SB Left	WB Right	WB Thru	WB Left	NB Right	NB Thru	NB Left	EB Right	EB Thru	EB Left			
06:00	1	12	1	0	4	2	3	35	6	4	1	1			70
06:15	3	21	10	0	7	2	8	44	6	2	10	0			113
06:30	3	20	9	3	21	2	11	62	10	2	9	3			155
06:45	5	31	34	3	11	3	23	60	13	4	14	1	202	Hour	6:45-7:45
07:00	31	66	18	4	31	2	7	43	57	2	22	0	283	NB +SB	780
07:15	31	67	18	1	24	1	10	36	27	10	26	0	251	EB	114
07:30	7	105	21	0	10	5	16	54	0	7	20	8	253	WB	95
Hourly Total	74	269	91	8	76	11	56	193	97	23	82	9			
07:45	17	120	23	3	15	1	13	56	3	1	28	6	286	Hour	7:45-8:45
08:00	16	90	13	1	7	2	7	53	13	13	8	2	225	NB +SB	719
08:15	5	77	11	7	7	3	12	44	6	15	11	4	202	EB	109
08:30	8	59	6	1	12	2	7	53	7	13	7	1	176	WB	61
Hourly Total	46	346	53	12	41	8	39	206	29	42	54	13			
08:45	6	70	6	2	2	2	7	52	12	14	8	2			183
09:00	4	40	6	0	5	3	2	60	8	1	8	1			138
09:15	3	30	1	2	2	1	0	59	3	1	7	6			115
09:30	2	25	1	2	1	1	3	48	4	3	3	2			95
09:45	2	18	3	2	3	2	3	39	1	3	4	2			82
10:00	3	23	2	0	3	2	2	34	1	2	6	3			81
10:15	2	20	1	1	7	3	6	32	5	0	3	6			86
10:30	2	26	2	2	0	2	6	52	2	3	9	2			108
10:45	1	32	3	1	4	3	3	41	4	5	7	1			105
11:00	2	31	3	0	5	5	4	46	5	2	4	2			109
11:15	1	38	0	2	3	5	3	33	4	2	2	9			102
11:30	3	42	1	2	7	5	6	41	6	2	6	0			121
11:45	4	41	2	0	3	4	1	49	2	4	5	2			117
12:00	1	44	2	5	2	1	5	51	0	2	4	2			119
12:15	0	50	4	6	5	5	6	49	5	4	2	1			137
12:30	6	37	3	1	2	4	3	50	4	4	2	2			118
12:45	3	36	0	5	7	0	3	46	4	6	6	1			117
13:00	4	60	3	1	2	7	3	42	6	3	6	1			138
13:15	2	44	4	1	5	5	4	38	3	2	5	1			114
13:30	1	47	4	4	6	6	7	23	0	4	4	2			108
13:45	7	45	7	2	10	2	1	37	3	3	6	1			124
14:00	5	48	8	2	8	3	6	31	6	3	11	4	135	Hour	14:00-15:00
14:15	4	52	5	16	11	5	6	39	2	2	8	1	151	NB +SB	522
14:30	5	67	11	35	30	13	8	65	8	3	6	5	256	EB	72
14:45	3	75	5	6	8	9	7	55	1	8	15	6	198	WB	146
Hourly Total	17	242	29	59	57	30	27	190	17	16	40	16			
15:00	2	73	1	3	12	7	7	57	2	8	13	3	188	Hour	15:00-16:00
15:15	4	98	3	4	8	8	8	50	5	4	13	1	206	NB +SB	636
15:30	7	84	5	15	5	9	10	75	1	9	11	9	240	EB	99
15:45	2	63	11	11	8	17	9	54	5	8	16	4	208	WB	107
Hourly Total	15	318	20	33	33	41	34	236	13	29	53	17			
16:00	14	65	9	5	10	5	6	78	9	7	12	12	232	Hour	16:00-17:00
16:15	6	74	3	9	19	7	4	79	9	11	8	11	240	NB +SB	786
16:30	5	80	3	22	20	9	9	110	4	1	7	16	286	EB	115
16:45	3	86	1	16	23	1	4	117	8	4	12	14	289	WB	146
Hourly Total	28	305	16	52	72	22	23	384	30	23	39	53			
17:00	9	81	5	19	32	3	4	108	9	4	11	23	308	Hour	17:00-18:00
17:15	7	115	14	18	33	4	1	139	6	5	9	12	363	NB +SB	985
17:30	14	111	7	19	22	4	9	117	12	7	10	7	339	EB	109
17:45	7	100	4	17	28	3	2	91	13	5	8	8	286	WB	202
Hourly Total	37	407	30	73	115	14	16	455	40	21	38	50			
18:00	10	86	20	5	7	6	10	77	2	13	14	4	254	Hour	18:00-19:00
18:15	4	85	11	10	11	12	7	53	3	12	12	4	224	NB +SB	632
18:30	0	81	2	1	9	12	4	42	2	5	6	5	169	EB	91
18:45	1	75	6	4	7	10	4	45	2	6	7	3	170	WB	94
Hourly Total	15	327	39	20	34	40	25	217	9	36	39	16			

REZONING EXHIBIT WHISPERING WOODS LOTS 1-164 & TRACTS A-O

PART OF SECTION 24, TOWNSHIP 47N, RANGE 32W, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI



SIZE DATA

LOT #	AREA	PERMIT #
1	10,000 SQ FT	PERMIT # 10000
2	10,000 SQ FT	PERMIT # 10000
3	10,000 SQ FT	PERMIT # 10000
4	10,000 SQ FT	PERMIT # 10000
5	10,000 SQ FT	PERMIT # 10000
6	10,000 SQ FT	PERMIT # 10000
7	10,000 SQ FT	PERMIT # 10000
8	10,000 SQ FT	PERMIT # 10000
9	10,000 SQ FT	PERMIT # 10000
10	10,000 SQ FT	PERMIT # 10000
11	10,000 SQ FT	PERMIT # 10000
12	10,000 SQ FT	PERMIT # 10000
13	10,000 SQ FT	PERMIT # 10000
14	10,000 SQ FT	PERMIT # 10000
15	10,000 SQ FT	PERMIT # 10000
16	10,000 SQ FT	PERMIT # 10000
17	10,000 SQ FT	PERMIT # 10000
18	10,000 SQ FT	PERMIT # 10000
19	10,000 SQ FT	PERMIT # 10000
20	10,000 SQ FT	PERMIT # 10000
21	10,000 SQ FT	PERMIT # 10000
22	10,000 SQ FT	PERMIT # 10000
23	10,000 SQ FT	PERMIT # 10000
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31	10,000 SQ FT	PERMIT # 10000
32	10,000 SQ FT	PERMIT # 10000
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39	10,000 SQ FT	PERMIT # 10000
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43	10,000 SQ FT	PERMIT # 10000
44	10,000 SQ FT	PERMIT # 10000
45	10,000 SQ FT	PERMIT # 10000
46	10,000 SQ FT	PERMIT # 10000
47	10,000 SQ FT	PERMIT # 10000
48	10,000 SQ FT	PERMIT # 10000
49	10,000 SQ FT	PERMIT # 10000
50	10,000 SQ FT	PERMIT # 10000

- NOTES**
- The project zoning district for the development is R-1, Single-Family Detached, Single-Family Detached (SFD).
 - Lottery drawings shall be held by the City of Lee's Summit on the date specified in the City Ordinance and shall be held in the presence of a public official and shall be held in accordance with the provisions of the City Ordinance.
 - Lottery drawings shall be held by the City of Lee's Summit on the date specified in the City Ordinance and shall be held in the presence of a public official and shall be held in accordance with the provisions of the City Ordinance.
 - Lottery drawings shall be held by the City of Lee's Summit on the date specified in the City Ordinance and shall be held in the presence of a public official and shall be held in accordance with the provisions of the City Ordinance.
 - Lottery drawings shall be held by the City of Lee's Summit on the date specified in the City Ordinance and shall be held in the presence of a public official and shall be held in accordance with the provisions of the City Ordinance.

PHOENIX ENGINEERING & SURVEYING, LLC
 2533 W. NORTH AVENUE, SUITE 100
 WARRANDALE, MO 64080
 PH: 816-425-2220
 FAX: 816-425-2421

PROJECT LOCATION: SECTION 24, TOWNSHIP 47N, RANGE 32W, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI

M4732-24 SHEET 1 of 1

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SEP 6 2017

Planning & Codes Admin

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JAN 03 2017

-2016-219-



LEE'S SUMMIT
MISSOURI

Planning & Code

SINGLE FAMILY RESIDENTIAL COMPATIBILITY

All single-family detached developments shall include a statement of compatibility of the proposed development with adjacent, proposed or existing, developments based on the following considerations.

	Name of Plat Whispering Woods	Adjacent Plat # 1 Eagle Creek	Adjacent Plat # 2 Large Lots S. of Prop.	Adjacent Plat # 3
Street Separation between the proposed development and the adjacent development	N/A	800' ±	N/A	
Lots/Acreage	<u>164</u> Lots on <u>76.32</u> acres	<u>51</u> Lots on <u>22.3</u> acres	<u>6</u> Lots on <u>42</u> acres	
Density	<u>2.6</u> Units per acre	<u>2.3</u> Units per acre	<u>0.14</u> Units per acre	
Restrictions on types of fencing, parking of specific vehicles, dog runs and outbuildings	TBD Similar to Eagle Creek	No wire or chain link fence Dog run allowed w/ approv.	N/A	
Similarity of architectural style and character of structures, including front elevations, exterior materials and roof pitch	TBD Similar in nature to Eagle Creek	Wood, brick, stone, or stucco Maximum of 2 stories	Wood, brick, stone, or stucco Maximum of 2 stories	



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JAN 09 2019

-2016-219

SINGLE FAMILY RESIDENTIAL COMPATIBILITY

Codes Admin

	Name of Plat Whispering Woods	Adjacent Plat # 1 Eagle Creek	Adjacent Plat # 2 Large Lots S. of Prop.	Adjacent Plat # 3
Classification and mixture of building types, including ranch, raised-ranch, split-level, multi-level, earth contact and two-story structures	Ranch, 2-Story, Split, 1.5 Story	Ranch, 2-Story, Split, 1.5 Story	Ranch, 2-Story, Split, 1.5 Story (assumed from imagery)	
Green space or common area, including areas, structures and amenities for the exclusive use and maintenance of homeowners of a subdivision.	Pool & Clubhouse within Tract H	Pool & Clubhouse within Tract A (1.9 ac)	N/A	
Streetscape, include distinctive and aesthetic features of special street signage, street lighting fixtures, street trees, and other landscaping.	N/A	Raised median within entry collector street including landscaping of trees and shrubs STD. signs & lights	N/A	
Lot Width	Range: <u>46</u> to <u>190</u> feet; Average: <u>84</u> ft.	Avg = 75'±	200' to 340' Avg = 220'±	

LS LEE'S SUMMIT
MISSOURI

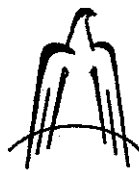
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JAN 09 2017

-2016-219-

SINGLE FAMILY RESIDENTIAL COMPATIBILITY Codes Admin

	Name of Plat Whispering Woods	Adjacent Plat # 1 Eagle Creek	Adjacent Plat # 2 Large Lots S. of Prop.	Adjacent Plat # 3
Lot Area	Range: <u>9,053</u> to <u>22,096</u> square feet; Average: <u>11,497</u> sq. ft.	Range: <u>9,200</u> to <u>29,900</u> square feet; Average: <u>12,300</u> sq. ft.		
Lot Depth	Range: <u>109</u> to <u>198</u> feet; Average: <u>128</u> ft.	Average: ≈130 to 140 ft.	1,320'±	
Lots Coverage/Yards/ Setbacks	Setbacks: <u>30'</u> front, <u>30'</u> rear, <u>7.5'</u> sides	STD R-1 Zoning setbacks	N/A	
Square footage of homes in Transition Areas measured by total finished floor area	TBD	N/A	N/A	
Minimum Floor Area Allowed; Actual Floor Area As Constructed	TBD	1,200 SF min ≈2,200 SF avg	N/A minimum ≈2,200 SF avg	
Entrance Monumentation	TBD, Located in Tract B, C, or D	2 monuments located in Tract A	N/A	
Overall Street and Lot Layout				



PHOENIX ENGINEERING & SURVEYING, LLC

CIVIL ENGINEERS SURVEYORS PLANNERS

January 3, 2017

RECEIVED

JAN 08 2017

Ms. Jennifer Thompson, Planner
City of Lee's Summit
220 SE Green St.
Lee's Summit, MO 64063

RECEIVED Admin

JAN 08 2017

-2016-219-

Planning & Codes Admin

RE: ~~Application No's. 2016219 and 2016220~~
Whispering Woods Subdivision
Rezoning and Preliminary Plat *Dev. Plan*
Lee's Summit, Jackson County, Missouri

Ms. Thompson,

Please find along with this letter the supporting documentation for the resubmittal of the above reference project. As part of the preliminary review, we found it necessary to revise the preliminary plat and resubmit as a Preliminary Development Plan. The criteria that made the change a necessity are listed below:

- The street configuration does not adhere to the Unified Development Ordinance (UDO) in the fact that all blocks are not less than 770 feet in length as required by the R-1 zoning.
- Due to accommodation of the walking trail that connects Pryor Road to Lee's Summit West High School, the normal rear yard setback of 30 feet will not accommodate the desired building footprints anticipated for this development. Although we are requesting that the setback be allowed for lots 129 – 144 to be established at 20 feet, this will be measured from the Tracts that are reserved for the walking trail which will effectively maintain a 40 foot offset from the plat boundary.
- Under the UDO, no development shall be allowed that has greater than 50 lots served by a single entrance. In discussions with the Lee's Summit Fire Dept., we are requesting that the first two phases be allowed to be platted with a sum total of 68 lots. An administrative hold will be placed on the second phase by the Fire Department until such time that progress has been made to provide the second access point to the development.

We have made the corrections that have been cited in your "Applicant's Letters" dated December 16, 2016 and December 21, 2016. How each item was addressed is identified on the following pages where the original comment is included along with our response shown in blue italic font.

If you have any questions or need additional information please feel free to call me.

Sincerely,
Phoenix Engineering and Surveying, L.L.C.

Brian L. Glenn, PE, CFM, LEED AP

Packet Information

File #: 2017-0925, **Version:** 1

PUBLIC HEARING - Appl. #PL2017-002 - UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT #60 - Article 8 Accessory Uses and Structures, to allow tattoo and body piercing as an accessory use in the PO District; City of Lee's Summit, applicant.

Background:

Article 8 Accessory Uses and Structures - adds language to allow tattoo/permanent cosmetic services/body piercing as a restricted accessory use in Planned Office, PO zoning districts. Conditions provide for the primary business owner to be the licensed professional performing the accessory use. Reuired the primary business to be associated with an artist studio engaged in the application, teaching or production of fine arts such as drawing, painting and sculpture or in film editing, screenwriting and similar uses associated with the fine arts. Services are to be provided by appointment only and not to become the primary business. Signage is prohibited except for logo, telephone number and email address.

The request to consider this amendment was presented by Mr. Brian Holton at the December 14, 2016 CEDC meeting. CEDC then considered actual language at their January 11, 2017 meeting and voted to forward the proposed amendment on to the Planning Commission for public hearing.

The Planning Commission held a public hearing on February 14, 2017 and voted to recommend approval of the UDO amendment to the City Council.

Recommendation: Staff recommends **APPROVAL** of the proposed language.

City Council Motion:

I move to direct staff to present an ordinance approving Application #PL2017-002 - UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT #60 - Article 8 Accessory Uses and Structures, to allow tattoo and body piercing as an accessory use in the PO District; City of Lee's Summit, applicant.

Date:

Mr. Brian Holton
205 SE Grande Ave. Apt #301
Lee's Summit, MO
64063

Company: LIGHT SLEEPER, LLC
C 412.744.6904
E bholtonfiln@gmail.com

SUBJECT

Proposal for Business License Amendment
(Addition of *Accessory use to current practice*)

Location in Question:

202 NE Douglas St.
Lee's Summit , MO
64063
Currently zoned (PO)

HISTORY

- Lee's Summit resident since 1993
- Licensed Tattooist by the State of Missouri since 2000 (Certification: CPR, First Aid, &BBP)
- Filmmaker under representation since 2011
- Freemason Summit Lodge #263 member since 2007

EDUCATION

- Longview College
- Central State, Connecticut
- Experimental Printmaking Institute
- Pittsburgh Filmmakers

DAY TO DAY BUSINESS PRACTICES

PRIMARY:

Film & Brand Development
Client Based
Editing & Screenwriting for Film & Television
6am – Noon Daily

SECONDARY:

Professional Tattooing
Client Based
PRIVATE / APPOINTMENT ONLY
Scheduling online
Noon- 7pm Daily

To whom it may concern,

Thank you for the opportunity to present you with this request for an amended business license. I have been a long time resident of the City of Lee's Summit, MO. I would like to continue to practice my profession and contribute to the community that I feel very much a part of. I have had a chance to meet and speak with Robert McKay and his staff to explain my predicament, which brings me to this letter.

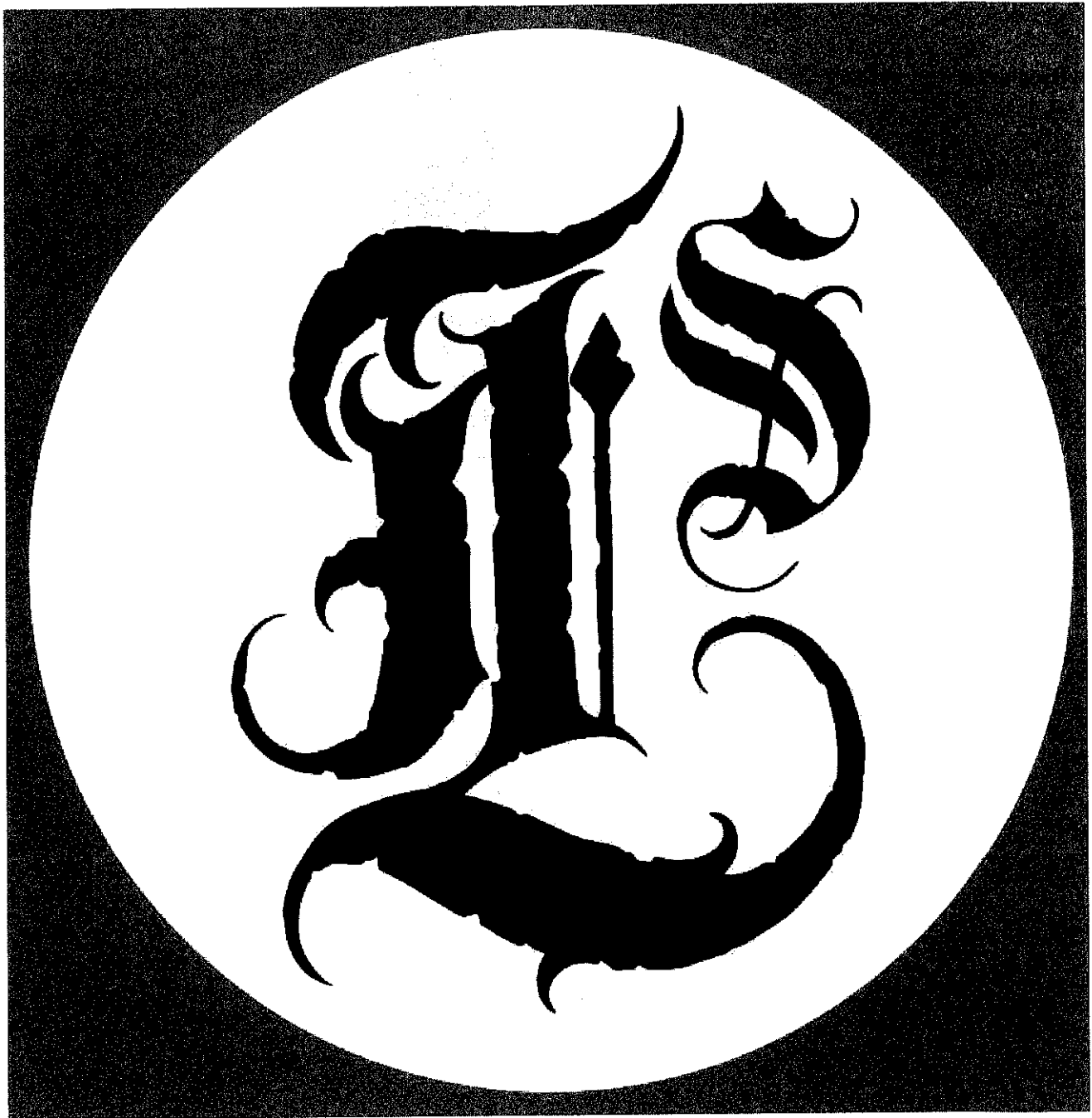
The location that I am applying for is currently zoned PO. This zoning suits the primary functions of my profession (Film / Art Studio). The secondary part of my profession (Tattooing) falls under the CP2 & PI zones. Both of these practices make up my livelihood and supplement each other since both are client based.

This choice in location suits my business model best. I understand that Tattooing with its "High Traffic" history was zoned for CP2 for a reason and that the immediate solution would be to "Just go and find another location". I took this into consideration before requesting that any one grant a use variance. This proved to be quite challenging. I spent roughly 6 hours physically driving to every single location in the permitted zones for tattooing. Around 11% of that zone had availability. A large part of that small percentage were beyond 800 - 1500 sq ft. The 2% of leftover space were in areas that directly contradict my business model and would set me up for potential failure. Where does this leave the Artist that doesn't want to operate a high traffic production operation? While I consider myself a very resourceful person, it seemed impractical to try to move forward in Lee's Summit.

Placing Tattooing in these zones in yr. 2000 made complete sense and I don't expect a rezoning of that. It is quite effective in minimizing the over saturation of high production Tattoo studios in the area which I support. Unfortunately it's a double edged sword in the sense that the few shops that are in the areas are also allowed the usage of overt signage that can create an eyesore in a growing town that is now reaching upwards of 96,000 in population. The current shops may be very well fixed in their storefront ideas (exaggerated curb appeal) dating back to early 2000's. Another problem that can develop from minimal location options are kitchen and basement tattoo artist which we absolutely don't want.

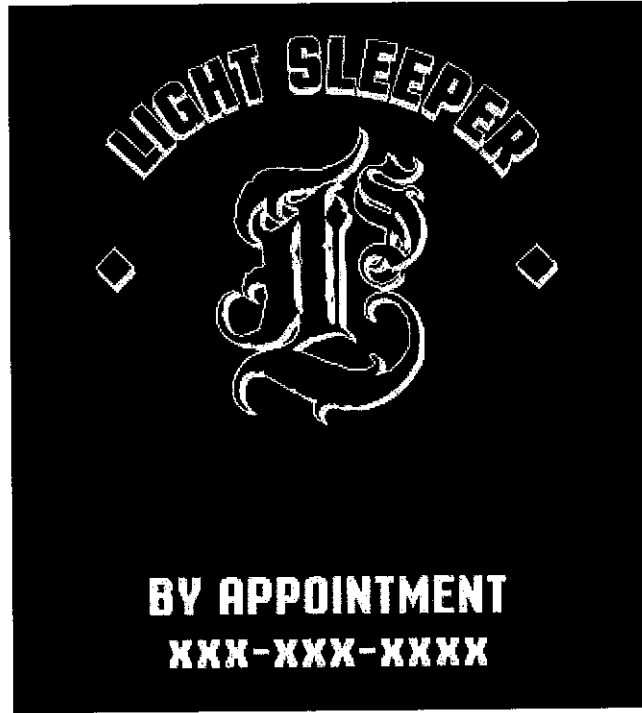
I would like for you to consider this variance for my business so that I can also lead by example and show that tattooing can be PRIVATE and BY APPOINTMENT ONLY. Sterile and professional with LIMITED to NO TATTOO SIGNAGE. Just a company logo /Phone number/ Email, which I imagine is how you and I would have wanted it to be presented in the first place. We have been in the information and social media age for some time now. Most clients do not travel around town to all of the shops to look at portfolios in a lobby full of people to choose an artist anymore. Most clients including my own research online via Facebook, Instagram, and so on before they reach out to their artist to book an appointment. Help me to establish a new pleasant visual for this in our city. I would rather not be forced to do business in one of the neighboring towns (i.e. Blue Springs, Indp. Raytown). Lee's Summit has always been good to me and my family as well as embracing my ideas and forward thinking over the years. I am in my 17th year tattooing with maybe 3 – 5 years left before I transition completely into film work. Lee's Summit is my home and I care about its integrity. I also care about the integrity of my field. Let's walk towards making this look better than it does.

Sincerely,
Brian Holton



LOGO

MINIMAL SIGNAGE EXAMPLE



LOGO 2 (WINDOW DECAL)

MINIMAL SIGNAGE EXAMPLE

M. Vending machines

Section 8.080. Accessory uses permitted by interpretation

Uses other than those listed herein may be determined to be accessory uses in any district based upon interpretation by the Director.

DIVISION III. SPECIALTY ACCESSORY USES

Section 8.090. Accessory use in religious, educational and community buildings

Child care center, pre-school, Mother's Day Out and similar programs shall be permitted as an accessory use in religious, educational and community buildings.

Section 8.100. Home occupation – accessory use in residential dwelling

Home occupations shall be permitted as an accessory use in residential dwellings in any district subject to the following provisions:

A. Purpose and intent.

It is the purpose and intent of these requirements to:

1. Maintain neighborhood integrity and preserve the residential character of neighborhoods by encouraging compatible land uses;
2. Provide residents of the City with an option to utilize their residences as places to enhance or fulfill personal economic goals as long as the choice of home occupations does not infringe on the residential rights of neighbors;
3. Establish criteria for operating home occupations in dwelling units; and
4. Ensure that public and private services such as streets, sewers, water or utility systems are not burdened by home occupations to the extent that usage significantly exceeds that which is normally associated with a residence.

B. General Provisions.

Home occupations shall be permitted as accessory uses within principal residential dwellings in any district provided they meet the following conditions and all requirements of the district in which located:

1. The home occupation must be clearly incidental and secondary to the primary residential use of the dwelling;
2. The home occupation must not change the outside appearance of the dwelling.
3. Exterior signage for a home occupation is prohibited;
4. The home occupation must not generate traffic, parking, sewerage or water use in excess of what is normal or customary in a residential neighborhood;

5. The home occupation shall not create a hazard to person or property, result in electrical interference, or become a nuisance in the neighborhood;
6. No outside storage of any kind related to the home occupation shall be permitted;
7. No persons other than self or family members residing on the premises, plus one additional person not residing on the premises, shall be employed or involved in any business activity related to the home occupation on the premises;
8. No more than 25% of the gross floor area of the dwelling unit shall be used for the operation of the home occupation. No accessory buildings shall be used in conjunction with a home occupation;
9. Deliveries of materials to and from the premises in conjunction with the home occupation shall not require the use of vehicles other than parcel post or similar parcel service vehicles;
10. Noise, vibration, smoke, odors, heat or glare as a result of a home occupation, which would exceed that normally produced by a single residence, shall not be permitted;
11. The home occupation shall not utilize more than one private commercial vehicle limited to 1 ton capacity. The vehicle shall be capable of being parked or stored inside the garage and shall be required to be kept in said garage when not in use for the home occupation (Amend. #13);
12. Retail sales on the premises shall be secondary to the major operation of the home occupation;
13. The primary use of the building in which the home occupation is situated shall clearly be the dwelling used by the person as his/her private residence;
14. Home occupations shall maintain required licenses mandated by applicable local, state and/or federal laws;
15. Persons intending to operate a home occupation should notify the HOA, Home Owners Association, of their intent prior to beginning operations. Said notification is to provide the HOA with notice of intent only.

C. Permitted home occupations.

Home occupations shall be approved by the Director upon his/her determination that the requirements of this ordinance can be satisfied. In the event a home occupation is denied by the Director, the reasons for the denial shall be given to the applicant in writing. Such decision for denial may be appealed to the City Council within 14 days of the date on the letter from the Director.

D. Prohibited home occupations. The following uses by the nature of the investment or operation have a tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the following uses shall be specifically prohibited as home occupations, except as further indicated below. (Amend. #16)

1. Sales to the public on the premises not secondary thereto;
2. Equipment rental;
3. Automobile and other motor vehicle repair services and/or sales;

4. Radio, television and similar electronic devices, small appliances and small engine repair services;
 5. Physicians, dentists;
 6. Chiropractor, except when located within a home on a lot that is a minimum of one acre in size and where access to a collector street from the residential driveway is no greater distance than one lot depth or 250 feet whichever is less. (Amend. #9)
 7. Upholstery and furniture making;
 8. Horse pasturing (does not include the accessory use of same)
 9. Pet grooming, except when: (Amend. #17)
 - a. Only one (1) animal is groomed or kept on the premises at a time, except for pets owned by the groomer; and
 - b. Only one person shall perform grooming services on the premises; and
 - c. All grooming activities shall be by appointment only; and
 - d. No animal runs, kennels or cages shall be kept on the premises in conjunction with the grooming business except for portable kennels necessary to transport the animal to and from the grooming appointment; and
 - e. No more than five (5) animals shall be groomed per day.
 10. Animal grooming (except as provided in 8 above) (Amend. #17), boarding, and/or related services;
 11. Uses requiring storage or use of highly flammable, toxic or other hazardous materials;
 12. Printing and/or typesetting services;
 13. Photographic studio, where photographs are taken on the premises, except when located within a home on a lot that is a minimum of one acre in size and where access to a collector street from the residential driveway is no greater distance than one lot depth or 250 feet whichever is less. (Amend. #9)
 14. Massage therapy, (to be conducted in the Licensed Massage Therapist's home) unless specifically approved as a Special Use under Article 10 of this Chapter. (Amend. #16)
- E. Any proposed home occupation not specifically prohibited in this Section may be permitted provided that all conditions listed above are observed.

Section 8.110. Hospital – related accessory uses

The following uses are accessory uses within a hospital when located within the main hospital building and designed to serve hospital personnel, visitors or patients: residential quarters for staff and employees; nursing or convalescent quarters; storage and utility buildings; food service and vending machines; laundry and dry cleaning pickup and delivery; and flower and gift shops.

Heliports shall be allowed as an accessory use at a regional hospital, provided the following conditions are met:

- A. A heliport plan is submitted to the Director which includes all approach and departure paths as necessary to assure safe and adequate landing and take-off area and shall be

supplemented by a favorable report by the local airport district office of the Federal Aviation Administration (FAA).

- B. Adequate safety provisions shall be provided and indicated by plans that control or restrict access to the landing and take-off areas by the general public.
- C. Landing and take-off areas shall be surfaced in such a manner as to avoid dust or dirt from blowing onto neighboring property.

Section 8.120. Hotel and motel – related accessory uses

The following uses are accessory uses within a hotel or motel provided the use is located within the main hotel building and designed to serve the occupants and patrons of the hotel or motel: restaurants; clubs; drinking establishments; banquet rooms; package sales of alcoholic liquor or cereal malt beverages; sales of notions; newsstands; vending machines; barber shops and hair salons; arcades; and flower and gift shops.

Section 8.130. Kennel – accessory use to veterinarian

Kennels for small animals shall be subject to the following conditions:

- A. A kennel with outside runs as an accessory use to a veterinarian shall be located at least one hundred (100) feet from any property zoned or used for residential purposes.

Section 8.140. Outdoor storage in PI industrial districts – accessory use (Amend. #34)

In PI industrial districts, outside storage is restricted to new products manufactured or assembled on site or such materials that are used in conduct of the business and which shall meet the following conditions:

- A. The outside storage is to be located on land owned by, leased by, or under the control of the users.
- B. Outside storage shall be restricted to side or rear yards not within required yards and shall be screened from view of neighboring properties.
- C. Outside storage areas are to be properly screened by means of a solid, sight-obscuring fence, not less than six (6) feet in height. A living screen may be substituted for the fence providing said screen shall provide a solid screen at planting. Fences used as screening directly adjacent to land zoned residential shall incorporate planted buffers as required in Article 14.
- D. All storage areas and access drives shall be paved.
- E. Outside storage of inoperative vehicles or equipment shall not exceed 72 hours. (Amend #6)

Section 8.150. Solar collectors – accessory use

Solar collectors are permitted accessory uses, provided that the following performance standards are met:

- A. Roof-mounted solar collector components servicing the collector panel shall be concealed and all exposed metal shall be finished with similar colors to the structure on which it is mounted.
- B. Roof-mounted solar collectors located on front or side building roofs, which are visible from the public right-of-way, shall not extend above the peak of the roof plane on which they are mounted, and no portion of the solar collector shall extend more than twenty four (24) inches perpendicular to the point on the roof where it is mounted;
- C. Roof-mounted solar collectors located on the rear side of building roofs shall not extend above the peak of the roof plane on which they are mounted, and no portion of the solar collector shall extend more than four (4) feet perpendicular to the point on the roof where it is mounted;
- D. Ground-mounted solar collectors shall not exceed eight (8) feet in total height and shall be located within the rear yard at least twelve (12) feet inside the property line and
- E. All lines serving a ground-mounted solar collector shall be located underground.

Section 8.160. Tattoo/permanent cosmetic services/body piercing services as accessory use to primary use in district Planned Office (PO)

Tattoo/permanent cosmetic services/body piercing services are restricted as an accessory use business located in a Planned Office, PO, zoning district as follows:

1. The accessory use business shall only be provided by the licensed professional as business owner of the primary business; and
2. The primary business shall be associated with an artist studio engaged in the application, teaching, or production of fine arts such as drawing, painting, and sculpture or in film editing and screenwriting and similar uses associated with the fine arts; and
3. Services shall be provided by appointment only and shall not become the primary business; and
4. Signage shall be prohibited except for a logo, telephone number and email address.

DIVISION IV. PERMITTED TEMPORARY ACCESSORY USES

~~Section 8.160.~~**Section 8.170. Permitted temporary accessory uses**

The following uses are temporary accessory uses in any district unless further limited herein:

1. Construction/sales office on site of a construction project provided such trailer is removed upon completion of the project. In residential districts, the construction trailer must be removed upon completion the of the first residential dwelling unit for the subdivision or project or, in the case of a subdivision or project for which approval has been given for phased development, for the first dwelling unit for that phase.
2. Portable storage containers – 14 days duration limitation (See also Article VII, Chapter 16 of the Code of Ordinances)

Packet Information

File #: 2017-0930, **Version:** 1

PUBLIC HEARING - Appl. #PL2017-010 - EnVision LS Area Development Plan (ADP) Design Standards for an area generally bounded by Pine Tree Plaza, U.S. 50 Highway, ADESA Property, Jefferson Street, Persels (West of M-291), 16th Street (East of M-291), The Union Pacific Railroad Right-Of-Way and South M-291 Highway known as the Envision LS Master Development Plan excepting the 85 acres owned by Westcott Investment Group, LLC; City of Lee's Summit, applicant.

Background:

On November 3, 2016, the City Council adopted a Master Development Plan, known as EnVision LS, for an area generally bounded by Pine Tree Plaza on the north, Adesa and adjacent properties fronting South M-291 Highway on the west, on the south by 16th Street east of South M-291 and Union Pacific Railroad on the east. The Council also approved the rezoning of the property to Planned Mixed Use (PMIX), at the same meeting.

These proposed Design Standards are meant to establish the general look and style of development within the area described as well as establish three (3) distinct development areas with both permitted and prohibited uses for the area as a whole and specific uses within each distinct area.

Staff will present a powerpoint for information purposes at the public hearing as well.

Staff recommends **APPROVAL** of the Design Standards for all development within EnVision LS, with the exception of the 85 acres owned by Westcott Investment Group, LLC.

City Council Motion:

I move to direct staff to present an ordinance approving Appl. #PL2017-010 - EnVision LS Area Development Plan (ADP) Design Standards for an area generally bounded by Pine Tree Plaza, U.S. 50 Highway, ADESA Property, Jefferson Street, Persels (West of M-291), 16th Street (East of M-291), The Union Pacific Railroad Right-Of-Way and South M-291 Highway known as the Envision LS Master Development Plan excepting the 85 acres owned by Westcott Investment Group, LLC; City of Lee's Summit, applicant.

ENVISION LS AREA DEVELOPMENT PLAN DESIGN STANDARDS

- I. **Introduction** –
 - ❖ Adoption of Master Development Plan and PMIX zoning
 - ❖ Excepting the 85 acre Grove development area
 - ❖ Vision – “establishing and achieving a desired aesthetic and a high quality gateway community at a prime commercial location”
 - ❖ Provides a structure for the development community for development plan application submittals
- II. **EnVision LS Area Development Plan (ADP)**
 - A. Represents desired mix and intensity of uses but flexible
 - B. Buildings set close to the street and 2 to 5 stories in height, high level of exterior finish
 - C. Three (3) primary development areas identified
- III. **General Provisions**
 - A. Purpose
 - B. Applicability
 - C. Conflict
 - D. Alternative Equivalent Compliance
 1. Purpose and Scope
 2. Decision-Making Responsibility
 3. Criteria
 4. Effect of Approval
- IV. **Development Standards**
 - A. Sensitive Lands and Natural Resources
 - B. Pedestrian and Bicycle Connectivity and Mobility
 1. Purpose
 2. Sidewalks Required
 3. On-Site Pedestrian Connections
 4. Trail Linkages
 - C. Screening
 1. Multi-Family, Mixed Use and Commercial Screening
 2. Screening of Service, Loading and Storage Areas

- a. Applicability
 - b. Placement
 - c. Outside Storage Areas and Loading Docks
 - d. Shopping Cart Storage
 - e. Refuse Facility Screening
 - f. Design of Screening
- D. Multi-Family Residential Development Standards
- 1. Purpose
 - 2. Design Standards
 - 3. Parking Location and Layout
- E. Mixed-Use & Commercial Design Standards
- 1. Applicability
 - 2. Site Layout and Building Organization
 - a. Private Common Spaces
 - b. Building Orientation
 - c. Outparcel Development
 - 3. Streetscape Design and Character
 - a. Public Sidewalks required
 - b. Delineation of Sidewalk Area
 - c. Building Placement
 - d. Sidewalk Entries
 - e. Utilities
 - f. Paving
 - 4. Mix of Uses
 - a. Ground-Floor Uses
 - b. Residential uses
 - 5. Parking Standards for Mixed Use Districts
 - a. Allowable Parking
 - b. Bicycle Parking
 - c. Parking Lot Screening
 - d. Parking Structure Design
 - 6. Building Design
 - a. Four-Sided Design
 - b. Consistent Architectural Theme

- c. Building Materials and Colors
- d. Gateways
- 7. Building Massing and Form
 - a. Vertical Articulation
 - b. Horizontal Articulation
 - c. Relationship to Surrounding Development
 - d. Entrances and Pedestrian Areas
 - e. Roofs
 - f. Awnings, Canopies, Arcades and Overhangs
- 8. Residential Compatibility Standards
 - a. Applicability
 - b. Use Limitations
 - c. Off-Street Parking Location
 - d. Relationship to Surrounding Uses
 - e. Façade Configuration
 - f. Landscaping/Screening
 - g. Operation
- 9. Green Design
 - a. Renewable energy features are required for all development within the ADP including two (2) or more of the following:
 - b. Solar energy production
 - c. Wind energy production
 - d. Materials produced regionally
 - e. Grey water recycling
 - f. Green roofs
 - g. Cool roofs
 - h. Drip irrigation systems
 - i. Materials and design meeting the U.S. Green Building Council certification requirements

This section has been modified to include a series of permitted “base uses” for the ADP and then provides add-on uses for each of the 3 Specific Areas.

V. 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 5-1 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 9 unless further modified through the approval process.

B. LS Gateway – Specific Area Uses (Restricted or Added)

1. Rooftop Restaurants
2. Medical clinic
3. Fitness center

C. LS Mixed Uses – Specific Area Uses (Restricted or Added)

1. Restaurants/coffee shops including drive through facilities
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 (Restricted or Added)

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
3. Call centers
4. Industrial uses
5. Outdoor storage
6. Indoor storage facilities
7. Office warehouse
8. Pet and animal hospitals

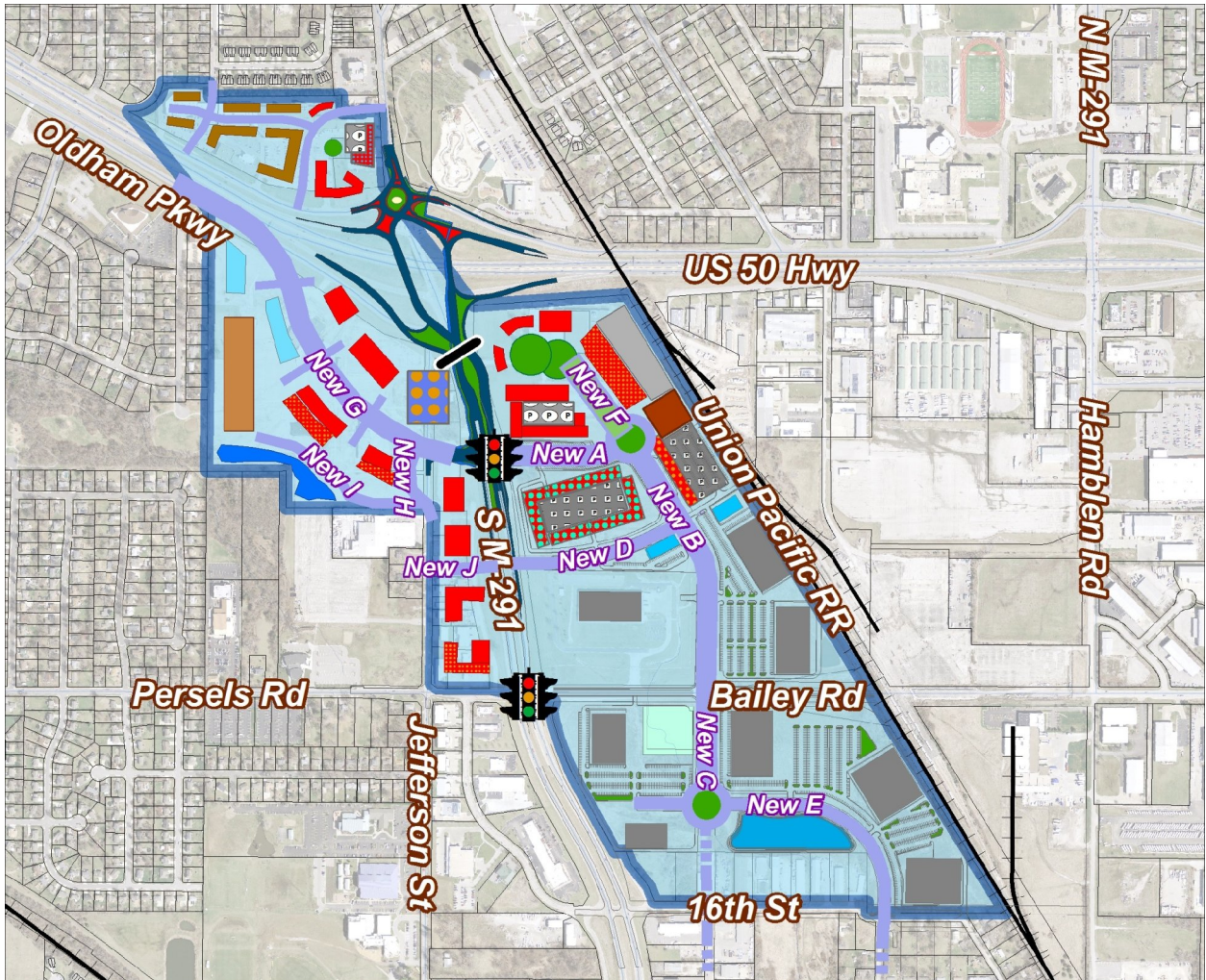
9. Adult business, entertainment, and personal services, bookstores, novelties and similar uses
10. Title loan, check cashing and unsecured loan businesses
11. Appliance repair unless accessory to the primary retail business, i.e., servicing what is being sold on the premises
12. Construction material sales and service
13. Car wash indoor, 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.

ENVISION LS AREA DEVELOPMENT PLAN (ADP) DESIGN STANDARDS

I. 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.

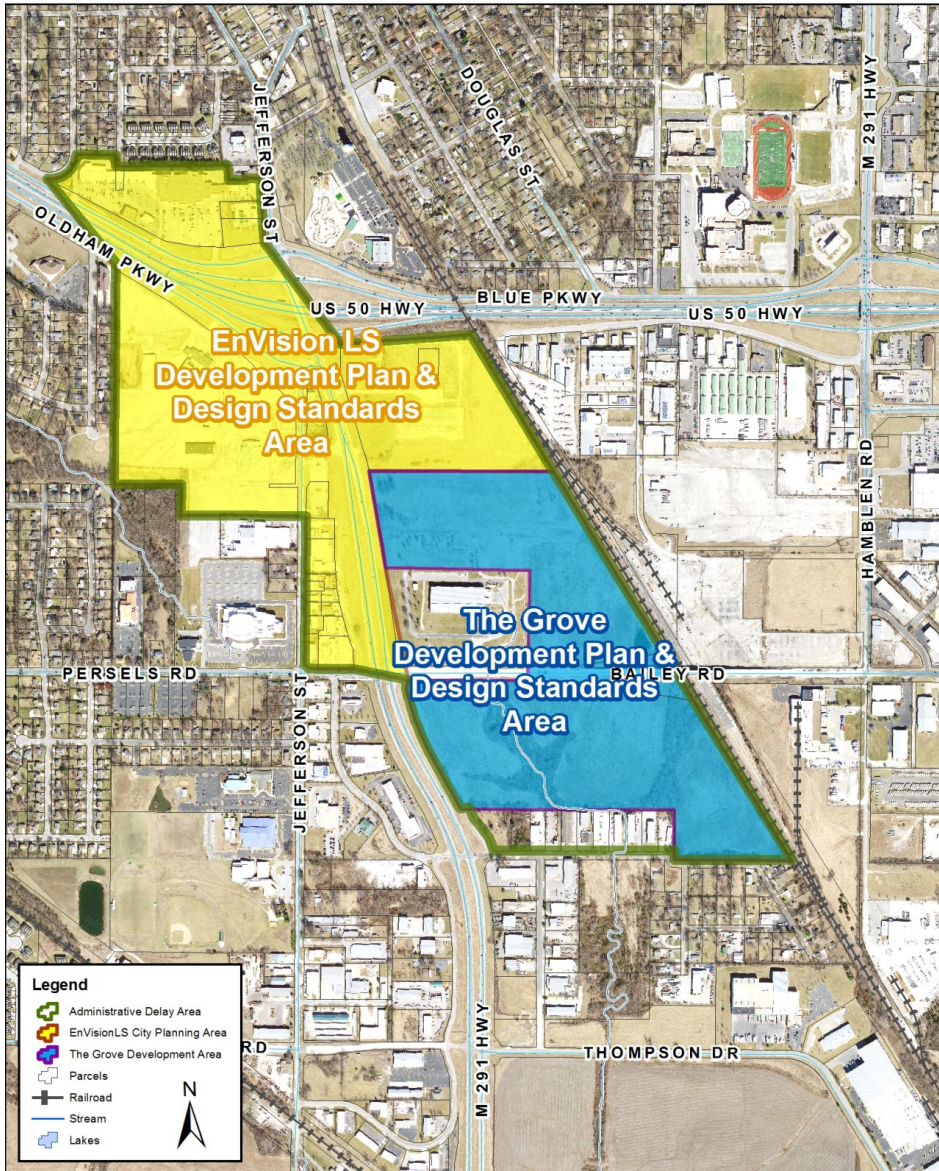


“ENVISION LS – ADOPTED CONCEPTUAL MASTER DEVELOPMENT PLAN”

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

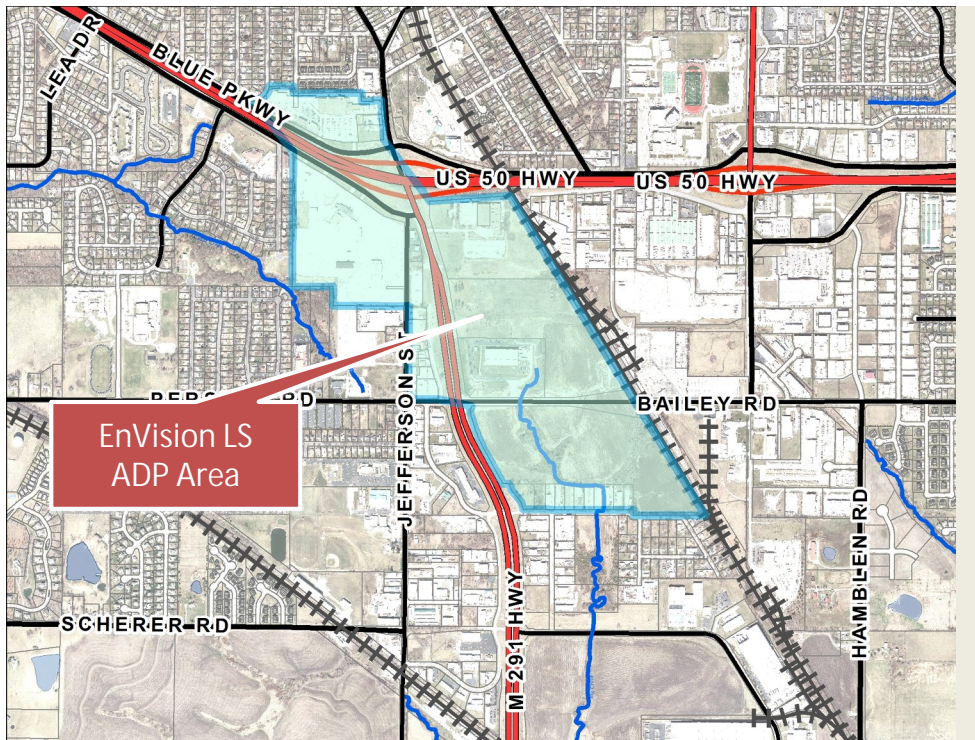


The Conceptual Master Plan and associated Design Standards outlined herein exhibit the City's desire and commitment to a vision of ***“establishing and achieving a desired aesthetic and a high quality gateway community at a prime commercial location”***. These Design Standards were created to establish 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.

II. 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, 2 to 5 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.

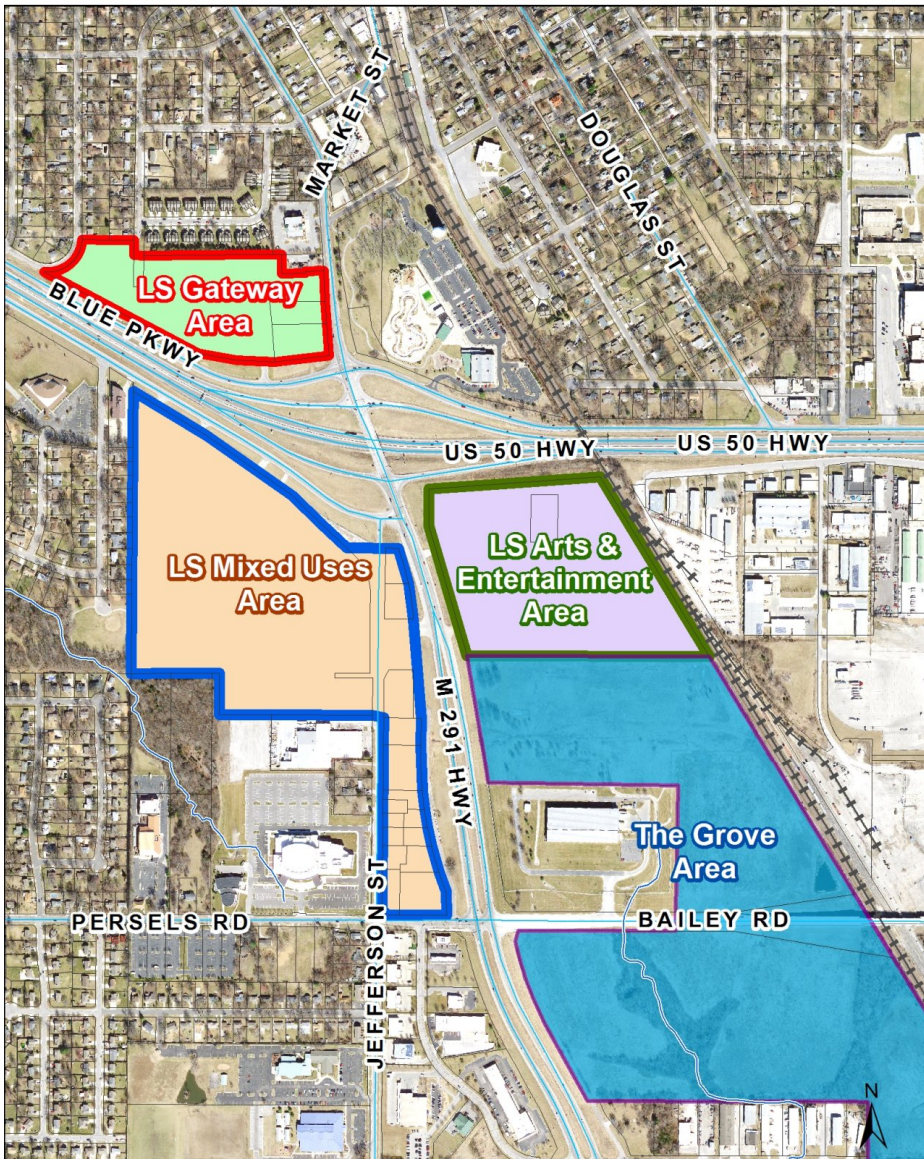


“AREA DEVELOPMENT PLAN BOUNDARIES”

C. The larger EnVision LS Area Development Plan, ADP, is divided into three (3) 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



III. 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**
 - a. 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.
 - b. 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.
 - c. Criteria. Alternative equivalent compliance may be approved if the applicant demonstrates that the following criteria have been met by the proposed alternative:
 - (1) Achieves the intent of the subject standard to the same or better degree than the subject standard;
 - (2) Advances the goals and policies of the ADP to the same or better degree than the subject standard;
 - (3) Results in benefits to the community that are equivalent to or exceed benefits associated with the subject standard; and
 - (4) Imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this ordinance.
 - d. 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.

IV. 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**

a. Purpose. The purpose of this section is to:

- (1) Support the creation of a highly connected transportation system within Lee's Summit in order to provide choices for drivers, bicyclists, and pedestrians;
- (2) 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;
- (3) Reduce vehicle miles traveled; improve air quality and reduce emergency response times;
- (4) Mitigate the traffic impacts of new development, and free up arterial capacity for long-distance travel needs; and
- (5) Avoid the creation of large, isolated tracts without routes for traffic, pedestrian and bicycle connections.



Sidewalks on both sides of street

b. **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.

c. **On-Site Pedestrian Connections**

(1) 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:

- (a) Entrances to each building on the site, including pad site buildings;
- (b) Public sidewalks, walkways, or trails on adjacent properties that extend to the boundaries shared with the subject development;
- (c) Public sidewalks along the perimeter streets adjacent to the development;
- (d) Adjacent land uses and developments;
- (e) Adjacent public park, greenway, or other public or civic use; and



On-site pedestrian connections

- (f) Adjacent public transit station areas, transit stops, park and ride facilities, or other transit facilities.
- (2) On-site pedestrian connections shall be constructed of materials distinguishable from the driving surface such as:
 - (a) Changing paving color;
 - (b) Painted crosswalks; or
 - (c) Stamped concrete.

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

- (3) 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:

- (a) Arcades, porticos, or other shade structures;
- (b) Pedestrian light features,
- (c) Bollards,
- (d) Seat walls or benches;
- (e) Drinking water fountains; and
- (f) Landscape planters.

- (4) 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.

d. Trail Linkages.

- (1) 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.



Decorative materials for pedestrian crossings



Residential trail connection

- (2) 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.
- (3) 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 14, Landscaping, Buffers, and Tree Protection.

- a. Multi-Family, Mixed-Use, and Commercial Screening. For all developments the following mechanical equipment screening standard shall apply to the maximum extent practicable.

- (1) 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.



Parapet wall screening roof mounted equipment

- (2) 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.
- (3) 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.
- (4) Utilities
 - (a) Utility poles and supports shall be painted or be of materials neutral in color. Wooden poles shall be prohibited.
 - (b) 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.
 - (c) Such screening shall be adequate to completely screen such facilities from all rights-of-way.

b. Screening of Service, Loading, and Storage Areas

(1) 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.

(2) Placement

(a) All service areas shall be placed at the rear, on the side of, or inside buildings.

(b) No service area shall be visible from a public right-of-way or from adjacent residential areas.

(c) 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.

(3) Outside Storage Areas and Loading Docks

(a) 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 14.1, Buffer/Screen Impact.



Loading area placement and screening

(b) An opaque screen consisting of one or a combination of the following shall be used:

1) Freestanding walls, wing walls, or fences;

2) Earthen berms in conjunction with trees and other landscaping; or

3) Landscaping, that must be opaque and eight feet in height within 18 months of planting.

(c) 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.

(d) 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.

(4) Shopping Cart Storage. All shopping carts shall be stored inside the building they serve. Shopping cart corrals shall be prohibited.

(5) 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:

(a) Meeting the requirements of the other sections of this section; or

(b) 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.

(6) 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.



Refuse facility screening

D. Multi-Family Residential Development Standards

- a. 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:
- (1) Encourage high quality development as a strategy for investing in the ADP;
 - (2) Emphasize the unique character anticipated for the ADP;
 - (3) Maintain and enhance the quality of life for the City's citizens;
 - (4) Shape the City's appearance, aesthetic quality, and spatial form;
 - (5) Protect and enhance property values;
 - (6) Provide property owners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for developing land within the ADP; and
 - (7) Promote the sustainability of both the structure and the overall community.
 - (8) Promote the establishment of a gateway into the historic downtown.
- b. Design Standards. Design standards in this subsection apply to all new multi-family development.

- (1) Minimum Building Separation (for Individual free standing buildings). Multi-family structures shall be separated pursuant to the standards of the Building Code.

- (2) Building Orientation

- (a) Individual buildings within a multi-family development shall be oriented to:

- 1) Common open space, such as interior courtyards or on-site natural areas or features;
 - 2) Perimeter streets;
 - 3) Other residential buildings; or
 - 4) Through-access drives.

- (b) 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:

- 1) Seasonal planting areas,
 - 2) Trees,
 - 3) Pedestrian-scaled lighting,
 - 4) Gazebos or other decorative shelters,



Courtyard Orientation



Perimeter Street Orientation

- 5) Seating,
- 6) Play structures for children, or
- 7) Natural features or areas, unless the City determines that for preservation reasons the buildings should avoid the feature or area.

(3) Entrance Orientation

- (a) Primary entrances and façades shall not be oriented towards parking lots, garages, or carports.
- (b) All individual multi-family buildings shall comply with at least two of the following requirements:
 - 1) At least one main building entry faces an adjacent public street;
 - 2) A building entrance faces a courtyard or common open space that has a direct and visible connection to an adjacent public street;
 - 3) A building entry is connected to a public sidewalk by a system of interior walkways; or
 - 4) The pedestrian entries to the site from the public right-of-way are emphasized with enhanced landscaping, special paving, gateways, arbors, or similar features.
- (c) 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.

- 1) Exterior entrances from a public sidewalk or common open space are permitted for dwelling units on the ground floor.
- 2) Exterior entrances shall be raised from the finished ground-floor level of the sidewalk a minimum of two feet.



Ground-floor unit entrances

(d) Dwelling units above the ground floor shall have interior unit entrances including fire stair towers.

(4) 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

c. Building Design

(1) 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.

(2) Building Mass and Articulation

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

- 1) Balconies;
- 2) Bay or box windows;
- 3) Porches or covered entries;
- 4) Dormers or other variations in the roof plane;
- 5) Accent materials such as brick, stone, or stucco with banding highlights;
- 6) Shutters;
- 7) Variation in window sizes and shapes; or
- 8) Vertical elements that demarcate building modules.



Multi-family building articulation

(b) Multi-family buildings shall provide concentrated unit access points. Access balconies and corridors running the length of the exterior of a building are prohibited.

(3) Vertical Articulation

- (a) 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 (2)(a).
- (b) 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.

(4) Building Length. The maximum length of any multifamily building shall be 180 feet without offsets to break up the building length.

(5) Transparency. At least 20 percent of all walls facing a public street shall contain windows or doorways.

(6) Design of Multiple Buildings

- (a) Developments with multiple buildings shall incorporate a variety of distinct building designs according to the scale of the development.
- (b) Distinct building designs shall include one or more of the following:
 - 1) A variation in length of 30 percent or more;
 - 2) A variation in the footprint of the building of 30 percent or more;
 - 3) A distinct variation in color and use of materials; or
 - 4) A distinct variation in building height and roof form.

(7) Materials. All material shall be durable and long-lasting. The following materials are acceptable for multi-family residential construction:

- (a) Brick, concrete stucco, stone, stone facing, wood, glass in combination with metal, or similar, durable architectural materials as approved by the Planning Commission.
- (b) Vinyl siding is prohibited and EIFS may only be utilized in a limited portion for detailed architectural elements above the 2nd story.

d. Parking Location and Layout

(1) Location and Layout

- (a) 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.
- (b) 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.



Multi-family parking located behind primary structure

- (c) 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.

(2) Carports and Detached Garages

- (a) Detached garages and carports shall incorporate compatible materials, scale, colors, architectural details, and roof slopes similar to those of the primary multi-family buildings.
- (b) 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 & Commercial Design Standards

- a. Applicability. The design standards in this section apply to all mixed-use and commercial (nonresidential) structures.

- b. Site Layout and Building Organization

- (1) Private Common Spaces

- (a) 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.



Private common space

- (b) Features and Amenities. The following features may be used to satisfy the private common space standard:
 - 1) Patio or plaza with seating and landscaping;
 - 2) Landscaped mini-parks or square;
 - 3) Rooftop or community garden; or
 - 4) Similar features as approved by the Director.

- (c) 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.

(2) Building Orientation

- (a) 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.



Buildings arranged to create pedestrian-friendly spaces

- (b) Multi-Building Developments

- 1) Buildings shall be organized to promote a compact pattern of development, pedestrian-friendly spaces, streetscapes, areas of naturalized landscaping, and to screen parking areas.
- 2) Buildings shall be arranged and grouped so that their primary orientation complements one another and adjacent, existing development by:
 - a) Framing the corner of an adjacent street intersection or entry point to the development;
 - b) Framing and enclosing a pedestrian and/or vehicle road or access corridor within or adjacent to the development site;
 - c) Framing and enclosing on at least three sides parking areas, public spaces, or other site amenities;
 - d) Framing and/or enclosing outdoor dining or gathering spaces for pedestrians between buildings; or
 - e) Framing one or more areas of natural vegetation.

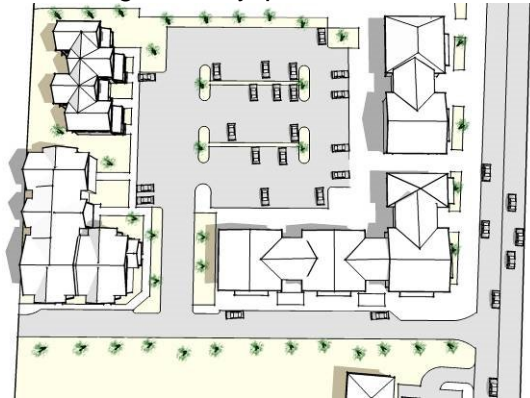
- (c) Entrance Orientation

- 1) To the maximum extent feasible, the principal building entrance shall face:
 - a) An adjacent public street;
 - b) An adjacent public plaza; or
 - c) An adjacent primary public walkway.
- 2) 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).

(3) Outparcel Development

(a) 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.

(b) 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.



Site layout of outparcel development

c. Streetscape Design and Character

The following standards apply in lieu of the standard sidewalk requirements.

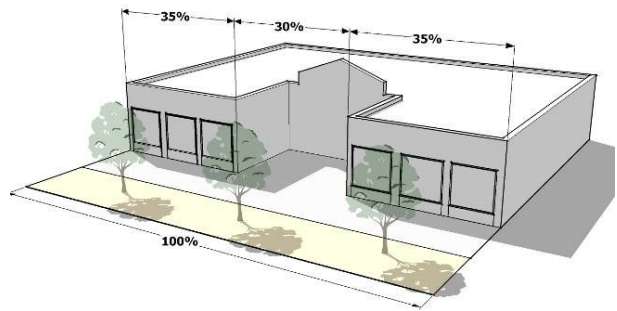
(1) Public Sidewalks Required. In order to create an environment that is supportive of transit and pedestrian mobility, public sidewalks shall be provided along both sides of all streets in the mixed-use districts. Such sidewalks shall be at least 10 feet in width and should not be more than 16 feet in width, unless otherwise approved as part of the design review process. The 10-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 10-foot minimum requirement, with a sidewalk easement provided.

(2) 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.

(a) 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 14. 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



(b) 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

(c) 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.

- (d) 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.
- (3) Building Placement. At least 70 percent of the building facade facing a public street shall be brought up to the clear area.
- (4) Sidewalk Entries
 - (a) Spacing. Sidewalk entries shall be provided to all buildings and individual units that front on the sidewalk.

- (b) Sidewalk Entry Hierarchy. Entrances into residential buildings in mixed-use areas are encouraged to follow a hierarchy of sizes and functions as follows:



Secondary entry

- 1) Carriage way: A centrally located twelve-foot wide entrance at sidewalk level for visual and direct access to a private courtyard.
 - 2) 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.
 - 3) 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.
- (5) 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.
 - (6) 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.

- d. 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.

(1) Ground-Floor Uses

- (a) 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.



Active street-level uses and outdoor gathering spaces

(b) Standards

- 1) 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.
- 2) 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.

- (2) 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:

- (a) Residential uses are vertically located above street-level commercial uses;
- (b) 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
- (c) 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.

- e. 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:

- (1) 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.
- (2) 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.
- (3) 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:
 - (a) 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
 - (b) Berming of the grade to at least 2 ½ 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.

(4) 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:

(a) Design

- 1) 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.
- 2) 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.
 - a) Windows or window-shaped openings with decorative mesh or similar features as approved by the Director;
 - b) Masonry columns;
 - c) Decorative wall insets or projections;
 - d) Awnings;
 - e) Changes in color or texture of materials;
 - f) Approved public art;
 - g) Integrated landscape planters; or
 - h) Other similar features approved by the Director.

(b) 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.

(c) 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

- 1) Abut street intersections or public/civic use areas,
- 2) Be adjacent to public squares, or
- 3) Occupy sites that are the terminus of a street vista.

f. Building Design

(1) Four-Sided Design

(a) 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.

(b) 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.

(c) 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.



Franchise design consistent with surrounding structures

(2) Consistent Architectural Theme

(a) 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.

(b) 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:

- 1) Overhangs,
- 2) Canopies or porticos,
- 3) Recesses/projections,
- 4) Arcades,
- 5) Raised corniced parapets over the entrance,
- 6) Peaked roof forms,
- 7) Arches,
- 8) Outdoor patios,
- 9) Tower elements (at strategic locations),
- 10) Display windows,

- 11) Integral planters that incorporate landscaped areas or seating areas, and
 - 12) Public art/sculptures.
- (3) Building Materials and Colors
- (a) 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).
 - (b) Mix of Materials
 - 1) 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.
 - 2) 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.
 - 3) Structures over 20,000 square feet shall require a minimum of three distinct building materials on all facades to provide architectural detail and interest.
 - (c) Prohibited Materials. The following materials are prohibited as primary cladding or roofing materials:
 - 1) Aluminum siding or cladding,
 - 2) Plastic or vinyl siding,
 - 3) Exposed aggregate, and
 - 4) Wood shingles.
 - (d) Façade Colors
 - 1) Colors of paint, stains, and other finishes or materials shall complement each other.



Mix of building materials

- 2) Generally, no more than four colors per building are permitted.
- 3) Fluorescent colors are prohibited.

- 4) Primary colors are prohibited.
- 5) The use of stark white is discouraged.
- (e) Transparency and Glazing
 - 1) At least 25 percent of all walls facing a public street shall contain windows or doorways.
 - 2) 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.
 - 3) Energy conserving window films and coatings are permissible within these standards.
- (4) 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.
 - (a) 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.
 - (b) 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:
 - 1) Eaves,
 - 2) Planters,
 - 3) Mounted signs,
 - 4) Pilasters,
 - 5) Tower elements,
 - 6) Water features, or
 - 7) Arcades.

g. Building Massing and Form

- (1) 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

- (2) 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:

- (a) Variations in roof form and parapet heights;
- (b) Pronounced recesses and projections;
- (c) Distinct changes in texture and color of wall surfaces;
- (d) Ground level arcades and second floor galleries/balconies;
- (e) Protected and recessed entries; and
- (f) Vertical accents or focal points.

- (3) 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:

- (a) 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; or



Appropriate transition in building height and mass

- (b) 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
- (c) Orienting porches, balconies, and other outdoor living spaces away from the shared property line to protect the privacy of adjacent residents where applicable.

(4) Entrances and Pedestrian Areas

- (a) Primary entries and pedestrian frontages shall be clearly visible from the street and accentuated from the overall building facade by:
 - 1) Differentiated roof, awning, or portico;
 - 2) Covered walkways or arcades;
 - 3) Projecting or recessed entries from the surrounding building facade;
 - 4) Detailed doors and doorways with transoms, sidelights, trim details, and/or framing; and
 - 5) Windows within doorways equivalent in size to 50 percent of door surface area.
- (b) Secondary entrances shall have minor architectural detailing that adds visual interest to that portion of the façade.



Entrance design and pedestrian areas

(5) Roofs

- (a) 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.
- (b) 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.
- (c) Overhanging Eaves. Overhanging eaves shall extend no less than three feet past the supporting walls.
- (d) Roof Pitch. Pitched roofs shall have a pitch consistent with the majority of buildings within 1000 feet. This requirement excludes roofs for entries and dormers.
- (e) Architectural Elements. Architectural elements that add visual interest to the roof, such as dormers and masonry chimneys, are encouraged.
- (f) Roof Materials

- 1) Asphalt shingles, industry-approved synthetic shingles, standing seam metal or tile roofs are allowed.
 - 2) 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.
- (6) Awnings, Canopies, Arcades, and Overhangs. Structural awnings are encouraged at the ground level to enhance the articulation of the building and provide shade.
- (a) The material of awnings and canopies shall complement the building.
 - (b) Awnings shall not be internally illuminated.
 - (c) Canopies shall not exceed 40 linear feet without a break.
 - (d) 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.
 - (e) Canopies shall respect the placement of street trees and lighting and shall not interfere with them.
 - (f) 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.
- h. Compatibility Standards
- (1) 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.
 - (2) Use Limitations. Where these compatibility standards apply, the following uses or features shall be prohibited as principal or accessory uses:
 - (a) Public address/loudspeaker systems;
 - (b) Outdoor storage; and
 - (c) Uses providing delivery services via large tractor trailers (not including package delivery services).
 - (3) Off-Street Parking Location
 - (a) 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.
 - 1) Adjacent to off-street parking lots serving nonresidential uses on abutting lots;
 - 2) Adjacent to lot lines abutting nonresidential development;
 - 3) Adjacent to lot lines abutting mixed-use development;

- 4) Behind the building;
 - 5) In front of the building; or
 - 6) Adjacent to lot lines abutting residential uses.
- (b) 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.

(4) Relationship to Surrounding Uses

- (a) 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.
- (b) Horizontally integrated mixed-use developments shall locate nonresidential uses away from lots in adjacent residential areas.
- (c) 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.



Gradual decrease in building height and mass towards adjacent residential uses

(5) Facade Configuration

- (a) 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.
- (b) Windows shall be arranged to avoid direct lines-of-sight into abutting residential uses.
- (c) 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.

(6) Landscaping/Screening

- (a) Screening shall not interfere with public sidewalks, vehicular cross-accessways, or improved pedestrian connections.
- (b) 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.

(7) Operation

- (a) 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 pm.
- (b) Loading or unloading activities shall take place only between the hours of 7:00 am and 11:00 pm.
- (c) Alternate hours of activities may be approved through the conditional use permit process.

i. Green Design

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

- (1) 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;
- (2) Energy-efficient materials, including recycled materials that meet the requirements of this Code;
- (3) Materials that are produced from renewable resources;
- (4) A green roof, such as a vegetated roof, or a cool roof;
- (5) Materials and design meeting the U.S. Green Building Council's LEED-NC certification requirements; or
- (6) A greywater recycling system.



Commercial building with solar panels

V. 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 5-1 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 9 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 sq. ft. on one (1) 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.

VI. Signage – Refer to development plan sign package or UDO Article 13 Signs

Packet Information

File #: BILL NO. 17-46, **Version:** 1

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON APPROXIMATELY 7.11 ACRES LOCATED AT THE SOUTHEAST CORNER OF NW BLUE PARKWAY AND NW COLBERN ROAD FOR THE PROPOSED SUMMIT VILLAGE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Proposed City Council Motion:

First Motion: I move for a second reading of AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON APPROXIMATELY 7.11 ACRES LOCATED AT THE SOUTHEAST CORNER OF NW BLUE PARKWAY AND NW COLBERN ROAD FOR THE PROPOSED SUMMIT VILLAGE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Second Motion: I move for adoption of AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON APPROXIMATELY 7.11 ACRES LOCATED AT THE SOUTHEAST CORNER OF NW BLUE PARKWAY AND NW COLBERN ROAD FOR THE PROPOSED SUMMIT VILLAGE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

BILL NO. 17-46

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON APPROXIMATELY 7.11 ACRES LOCATED AT THE SOUTHEAST CORNER OF NW BLUE PARKWAY AND NW COLBERN ROAD FOR THE PROPOSED SUMMIT VILLAGE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-114 submitted by Newmark Grubb Zimmer, requesting approval of a preliminary development plan in District PMIX (Planned Mixed Use) on land located at the southeast corner of NW Blue Parkway and NW Colbern Road was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a preliminary development plan by the City following public hearings by the Planning Commission and City Council, and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the preliminary development plan on January 10, 2017, and rendered a report to the City Council recommending that the preliminary development plan be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on February 16, 2017, and rendered a decision to approve the preliminary development plan for said property.

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

SECTION 1. That a preliminary development plan is hereby approved in District PMIX on the following described property:

A tract of land in the Southwest Quarter of Section 25, Township 48 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri being bounded and described as follows: Commencing at the Northeast corner of said Southwest Quarter; thence South 03°02'10" West, along the East line of said Southwest Quarter, 1,073.34 feet to a point on the South right-of-way line of Colbern Road, as now established; thence South 84°44'05" West, along said South right-of-way line, 551.26 feet; thence South 03°02'10" West, continuing along said South right-of-way line, 6.06 feet to the Point of Beginning of the tract of land to be herein described; thence continuing South 03°02'10" West, 329.02 feet; thence South 03°01'16" West, 61.03 feet; thence South 39°49'54" East, 58.31 feet; thence Southerly, along a curve to the right, having an initial tangent bearing of North 67°04'27" East with a radius of 59.00 feet, a central angle of 200°58'59" and an arc distance of 206.96 feet; thence South 17°52'19" West, 291.89 feet; thence South 66°44'31" East, 19.66 feet; thence South 17°37'56" West, 90.31 feet; thence North 78°13'39" West, 23.25 feet; thence Westerly, along a curve to the right, being tangent to the last described course with a radius of 500.00 feet, a central angle of 05°44'34" and an arc distance of 50.11 feet; thence North 72°29'05" West, 308.18 feet to a point on the East right-of-way line of NW Blue Parkway, as now established; thence North 17°30'55" East, along said East right-of-way line, 100.00 feet; thence North 72°29'05" West, continuing along said East right-of-way line, 20.00 feet; thence North 17°30'55" East, continuing along said East right-of-way line, 49.59 feet; thence Northerly, continuing along said East right-of-way line, on a curve to the left,

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being tangent to the last described course with a radius of 1,155.00 feet, a central angle of 22°10'54" and an arc distance of 447.15 feet; thence Northeasterly, continuing along said East right-of-way line, on a curve to the right, having a common tangent with the last described course with a radius of 181.00 feet, a central angle of 84°19'06" and an arc distance of 266.37 feet to a point on the South right-of-way line of said Colbern Road; thence Easterly, along said South right-of-way line, on a curve to the right, having a common tangent with the last described course with a radius of 1,954.00 feet, a central angle of 05°04'58" and an arc distance of 173.34 feet; thence North 84°44'05" East, continuing along said South right-of-way line, 27.18 feet to the Point of Beginning. Containing 309,501 square feet or 7.11 acres, more or less.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the required 20 foot wide high-impact landscape screen between the proposed site and the adjacent apartment development to the east of Lot 2, to allow medium impact landscape screening with a 10 foot wide buffer yard, plus a 6' vinyl fence with masonry piers along a portion of the eastern property line of Lot 2 as requested.
2. Development shall be in accordance with the preliminary development plan, date stamped December 6, 2016.
3. Approval of the preliminary development plan is only for Lots 1 & 2. Development of the conceptual master plan outside of Lots 1 & 2 shall require preliminary development plan approval under separate application.

SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped December 6, 2017, appended hereto and made a part hereof.

SECTION 4. In granting modifications listed herein, the Governing Body concludes that the development will provide sustainable value to the City, incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent through the proposed project, effectively utilize the land upon which the development is proposed, and further the goals, spirit and intent of the Unified Development Ordinance.

SECTION 5. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

SECTION 6. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

SECTION 7. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this ____ day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:


City Attorney *Brian W. Head*

City of Lee's Summit

Development Services Department

January 6, 2017

TO: Planning Commission

FROM: Robert G. McKay, AICP, Director of Planning and Special Projects 

RE: **Continued PUBLIC HEARING – Appl. #PL2016-114 – PRELIMINARY DEVELOPMENT PLAN – approximately 7.11 acres located at the southeast corner of NW Blue Pkwy and NW Colbern Rd for the proposed Summit Village; Newmark Grubb Zimmer, applicant**

Commentary

This preliminary development plan application is for the proposed Summit Village development located on land that was annexed into the city in 2011. The subject preliminary development plan covers two lots on 7.11 acres that yield a total building area of 38,500 square feet. The project is proposed to be completed in multiple phases. Phase I is composed of Lot 1, which contains an 18,500 sq. ft. eye care and surgery center that has its own phasing option for construction. Construction of the 18,500 square foot building may be divided into a 6,500 sq. ft. Phase IA and a 12,000 sq. ft. Phase IB. Phase II is composed of Lot 2, which contains two office/retail buildings that will be 10,000 square feet each. The proposed building elevations incorporate a significant amount of brick, block and stucco, plus the use of an architectural metal panel system to accentuate the entrances to the buildings on Lot 2.

A conceptual master plan for the surrounding 61 acres has also been submitted to illustrate how the subject 7-acre development ties into and relates to the long-term vision for the area. The conceptual master plan consists of 17 additional office/commercial use buildings totaling approximately 542,500 sq. ft. The future development of the area under the conceptual master plan will require separate preliminary development plan approval as additional phases of the development are implemented.

The applicant requests modifications to the high impact screening along the eastern property line of Lot 2. Staff supports the requested modification.

- 2 lots and 1 common area tract on 7.11 acres
- 55% proposed overall impervious coverage – 80% maximum allowed impervious coverage
- 45% proposed overall open area – 20% minimum required open area
- 0.15 proposed overall FAR – 0.55 maximum allowed FAR
- 193 parking spaces required – 203 parking spaces provided

Recommendation

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

1. A modification shall be granted to the required 20 foot wide high-impact landscape screen between the proposed site and the adjacent apartment development to the east of Lot 2, to allow medium impact landscape screening within a 10 foot wide buffer yard, plus a 6' vinyl fence with masonry piers along a portion the eastern property line of Lot 2 as requested.
2. Development shall be in accordance with the preliminary development plan, date stamped December 6, 2016.

3. Approval of the preliminary development plan is only for Lots 1 & 2. Development of the conceptual master plan outside of Lots 1 & 2 shall require preliminary development plan approval under separate application.

Project Information

Proposed Use: office/retail

Current Zoning: PMIX (Planned Mixed Use)

Proposed Zoning: PMIX (Planned Mixed Use)

Land Area: 135,036 sq. ft. (3.10 acres) – Lot 1
114,127 sq. ft. (2.62 acres) – Lot 2
22,651 sq. ft. (0.52 acres) – Tract A
309,501 total square feet (7.11 acres)

Building Area: 6,500 sq. ft. – eye care and surgery center (Lot 1 – Phase IA)
12,000 sq. ft. – eye care and surgery center (Lot 1 – Phase IB)
20,000 sq. ft. – office/retail (Lot 2 – Phase II)
38,500 total sq. ft.

Number of Lots: 2 lots and 1 common area tract

Location: SE corner of NW Blue Pkwy and NW Colbern Road

Surrounding zoning and use:

North (across NW Colbern Road): Unity Village—located outside city limits

South: PMIX—vacant property owned by Unity Reality, LLC

East: PMIX—vacant property owned by Unity Reality, LLC; and Unity Villa Apartments – located outside city limits.

West (across NW Blue Pkwy): PMIX—vacant property owned by Unity Reality, LLC

Background

- November 17, 2011 – The City Council approved a cooperative agreement by and among the City of Lee's Summit, MO, Unity Village and the Unity School of Christianity for the annexation and development of certain property located in Lee's Summit.
- December 15, 2011 – The City Council approved an ordinance providing for the concurrent detachment from Unity Village, MO, and annexation by the City of Lee's Summit, MO, of property legally described as consisting of the Phases 1, 2 and 3 Unity Development by Ord. #7130.
- December 20, 2012 – The City Council approved a zoning classification (Appl. #PL2012-124) to PMIX, on land south of NW Colbern Rd and east of M-350 Highway by Ord. #7270.

Analysis of Preliminary Development Plan

This preliminary development plan is for the construction of an 18,500 square foot eye care and surgery center (Lot 1) and two 10,000 square foot office/retail buildings (Lot 2). The remainder of the subject property is conceptually shown as 17 additional office/commercial buildings totaling approximately 542,500 sq. ft. to be constructed on the 61 acres adjacent to the subject

preliminary development plan. The area under the conceptual development plan will have to go back through the preliminary development plan approval process when it is ready to be developed.

High Impact Screening. Modification requested. **Staff supports the request.**

- Proposed – The applicant proposes to provide medium impact landscape screening with a minimum 10 foot wide buffer yard. The applicant shall also provide additional screening in the form of a 6 foot tall vinyl fence with masonry piers located along a portion of the eastern property line of Lot 2, between Summit Village and the adjacent Unity Villa Apartments.
- Required – high-impact screening along the east property line, adjacent to the Unity Village Apartments.
 - A twenty (20) foot buffer yard;
 - Low impact screening planted on both sides of the wall or the fence; and
 - Six foot high masonry wall or opaque vinyl fence
- Recommended – Lot 2 of Summit Village is bounded by Unity Villa Apartments to the east. The western border of the apartment site is composed of a mature stand of trees, a large covered carport structure and an apartment building. The existing trees and structures provide a significant physical buffer along the western border of the apartment site. In lieu of a low-impact landscape screen plus a 6’ vinyl fence along the entire length of the proposed Lot 2 adjacent to the apartments, the applicant proposes to install a medium impact landscape screen along the length of Lot 2 plus a 6’ vinyl fence only along an approximately 60’ long area where there is a physical gap between the carport and apartment building on the Unity Villa site. Staff supports the requested modification. Staff believes that the existing structures and landscaping on the apartment site coupled with the proposed landscaping and fencing on the proposed Summit Village site meets the intent of the buffer/screen requirements of the UDO.

Code and Ordinance Requirements

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

Engineering

1. All required engineering plans and studies, including water lines, sanitary sewers, storm drainage, streets and erosion and sediment control shall be submitted along with the final plat and final development plan. All public infrastructure must be substantially complete, prior to the issuance of any certificates of occupancy.
2. All Engineering Plan Review and Inspection Fees shall be paid for prior to approval of the associated engineering plans and prior to the issuance of any infrastructure permits or the start of construction (excluding land disturbance permit).
3. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of an infrastructure permit or prior to the approval of the Final Development Plan/Engineering Plans.
4. All permanent off-site easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion. A certified copy shall be submitted to the City for verification.

5. Certain aspects of the development plan will be further reviewed during the final development plan phase of the project. This includes the alignment of the storm sewer at the intersection of NW Blue Pkwy and the new public street, and the analysis of the water system to determine if the proposed 8 inch water line is sufficient to serve future phases of the project.
6. Any cut and / or fill operations, which cause public infrastructure to exceed the maximum / minimum depths of cover shall be mitigated by relocating the infrastructure vertically and / or horizontally to meet the specifications contained within the City's Design and Construction Manual.

Fire

7. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety of fire fighters and emergency responders during emergency operations, shall be in accordance with the 2012 International Fire Code. For information only. Automatic fire suppression shall be provided as required by Chapter 9.
8. IFC 507.5.1- Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Action required: Provide a hydrant plan that provide accessible hydrants that meet this requirement.
9. IFC 903.3.7- Fire department connections. The location of fire department connections shall be approved by the fire code official. Connections shall be a 4 inch Storz type fitting and located within 100 feet of a fire hydrant, or as approved by the code official.

Action required: Show the location(s) of the FDC, and the hydrant within 100 feet.
10. Provide a detail for the island in the roundabout.

Planning

11. Accessible parking signs shall meet the requirements set forth in the **Manual on Uniform Traffic Devices (R7-8)**. Each accessible parking space shall be identified by a sign, mounted on a pole or other structure, located 60 inches (5 feet) above the ground measured from the bottom of the sign, at the head of the parking space.
12. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All proposed signs must comply with the sign requirements of Article 13 of the UDO.
13. Lot line dimensions, bearings and distances shall be added to Sheet C001 – Conceptual Master Plan: Phase One.
14. The new public road extension east of Blue Pkwy shall be given a name. Prospective street names shall be provided to the City for review and approval in compliance with the street naming policy.
15. 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 with a steel gate painted to be compatible with the color of the masonry walls and building it is to serve.

16. Vehicle parking and loading areas, and all access drives shall meet the minimum landscaping requirements set forth in Unified Development Ordinance (UDO) Section 14.
17. All non-residentially developed lots which contain a minimum of four (4) parking lot light poles shall be reduced by at least 50% of the full operational levels within 60 minutes after the close of business. Lighting levels may be reduced by turning off 50% of the parking lot lights or by dimming parking lot lighting levels to no more than 50% of the levels used during business or activity hours, or by some combination.
18. Parking lot pavement thickness shall be in accordance with Section 12.120 of the UDO.
19. A final plat shall be approved and recorded prior to any building permits being issued. All subdivision-related public improvements must be complete prior to approval of the final plat by the City Council unless security is provided in the manner set forth in UDO Section 16.340.
20. The Developer shall execute a mutually satisfactory development with the City, which addresses, at a minimum, the road improvements recommended in the Transportation Impact Analysis form dated August 12, 2016. No building permits shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office.

RGM/hsj

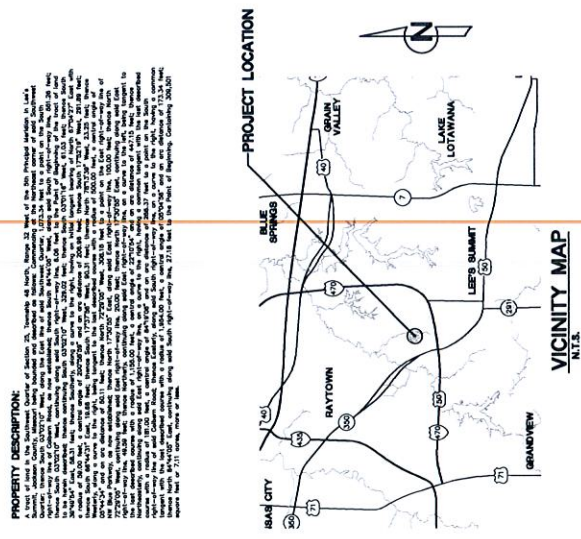
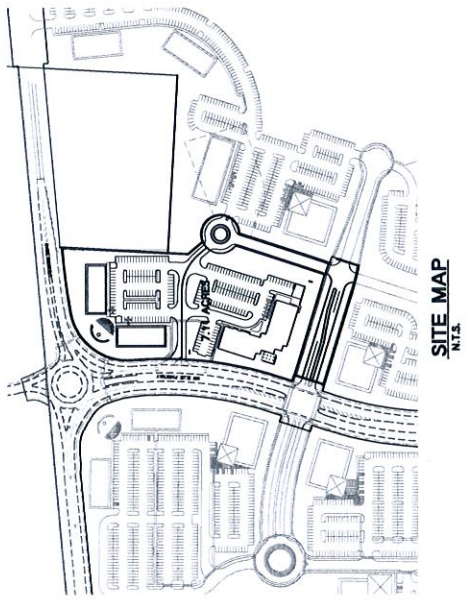
Attachments:

1. Transportation Impact Analysis prepared by Michael Park, dated August 12, 2016—3 pages
2. Traffic Impact Study prepared by Priority Engineers, Inc., dated July 20, 2016—22 pages
3. Preliminary Development Plan, date stamped December 6, 2016—22 pages
 - Cover Sheet, Sheet C000
 - Conceptual Master Plan: Phase One, Sheet C001
 - Existing Conditions, Sheet C002
 - Preliminary Site Plan, Sheet C003
 - Lot 1 Phasing Plan, Sheet C004
 - Preliminary Site Plan: Lot 1 Phase IA, Sheet C005
 - Grading Plan, Sheet C006
 - Utility Plan, Sheet C007
 - Detail Sheet, Sheet C008
 - Landscape Concept, Sheet L001
 - Lot 1 Building Renderings and Elevations—7 pages
 - Lot 2 Building Elevations, Typical
 - Trash Enclosure Details, Sheet A923
 - Electrical Site Photometric Plan, Sheet ES010
 - Electrical Site Photometric Plan, Sheet ES011
 - Electrical Site Light Fixture Cut Sheets, Sheet ES020
4. High Impact Buffer Requirement Modification Request Letter, dated August 16, 2016
5. Location Map

SUMMIT VILLAGE FIRST PLAT

Lee's Summit, Jackson County, MO

PRELIMINARY DEVELOPMENT PLAN & PRELIMINARY PLAT



PROPERTY DESCRIPTION:
A tract of land in the unincorporated portion of Jackson County, Missouri, bounded as follows: North, the 20th Principal Meridian, S. 21° 15' 00" E. 150.00 feet; East, the 20th Principal Meridian, S. 75° 00' 00" E. 150.00 feet; South, the 20th Principal Meridian, S. 21° 15' 00" E. 150.00 feet; West, the 20th Principal Meridian, S. 75° 00' 00" E. 150.00 feet. The area is approximately 3.5 acres and is located in the unincorporated portion of Jackson County, Missouri, near the intersection of the 20th Principal Meridian and the 21st Principal Meridian. The property is currently vacant and is being offered for sale by the Missouri State Land Office. The property is located in the unincorporated portion of Jackson County, Missouri, near the intersection of the 20th Principal Meridian and the 21st Principal Meridian. The property is currently vacant and is being offered for sale by the Missouri State Land Office.

INDEX OF SHEETS

COVER SHEET
CONCEPTUAL MASTER PLAN, PHASE 1
PRELIMINARY SITE PLAN
GRADING PLAN
UTILITY PLAN
DETAIL SHEET
LANDSCAPE CONCEPT
EXTERIOR ELEVATIONS
RENDERED EXTERIOR ELEVATIONS
TRASH ENCLOSURE DETAILS
ELECTRICAL SITE PHOTOMETRIC PLAN
ELECTRICAL SITE LIGHT FIXTURE CUT SHEETS

C000
C001
C002
C003
C004
C005
C006
L001
A300
A301
A823
ES010
ES011
ES012

OWNER:
UNITY REALTY, LLC
1801 NW BLUE PARKWAY
UNITY VILLAGE, MO 64065
Phone: 816 807 8000
Contact Person: GUY SWANSON
swanson@unityonline.org

APPLICANT/DEVELOPER:
NEWMARK GRUBBS ZIMMER
1220 WASHINGTON STREET, SUITE 300
KANSAS CITY, MO 64106
Phone: 816 812 8100
Contact Person: MIKE VANBUSKIRK, PRINCIPAL
mvanbuskirk@ngzimm.com

~2016-114

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Sheet No.: C000

COVER SHEET
SUMMIT VILLAGE
FIRST PLAT
LEE'S SUMMIT, JACKSON COUNTY, MO



Reviewed By: _____
Checked By: _____
Date: _____

NO.	REVISION/PROVALS	DATE
01	ISSUED FOR CITY	08-03-2016
02	REVISION PER CITY COMMENTS	08-03-2016

NO. REVISIONS/APPROVALS	DATE	REVISIONS
	08-03-2016	Submitted to City
	08-09-2016	Revised per staff comments

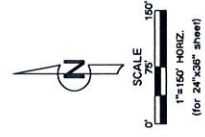
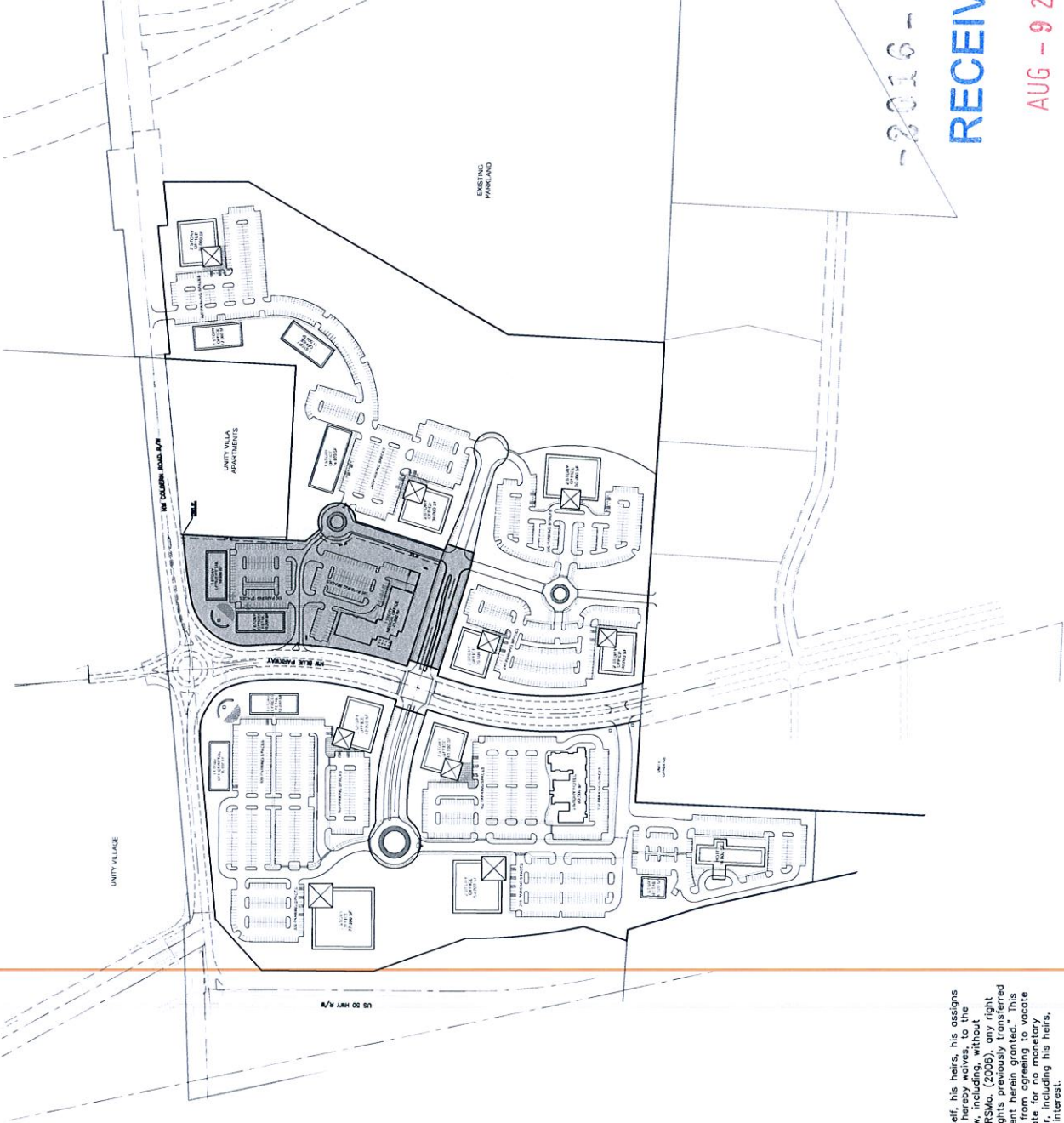
Reviewed By:	RF
Designed By:	SMW
Drawn By:	SMW
LUTJEN Project No.:	18103
Client:	BRUNNEN
Project Name:	BRUNNEN
Project No.:	200701277



CONCEPTUAL MASTER PLAN: PHASE ONE
 SUMMIT VILLAGE
 FIRST PLAT
 LEE'S SUMMIT, JACKSON COUNTY, MO

Sheet No.:
COO1

- General Notes:
- The limits of a 1% Annual Chance flood do not extend on to this site according to current FEMA maps, Panel 285 of 480, Map Number 25095C0285F.
 - No oil or gas well currently exist on this site according to the Missouri Department of Natural Resources Oil and Gas Log for County of Jackson Township 48 Range 32W.



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"Grantor, on behalf of himself, his heirs, his assigns and successors in interest, hereby waives, to the fullest extent allowed by law, including, without limitation, section 527.186 RSMo, (2006), any right to request restoration of right to sue in the future. This covenant shall not be construed to prevent the City from agreeing to vacate the easement at a later date for no monetary consideration to the Grantor, including his heirs, assigns, and successors in interest."

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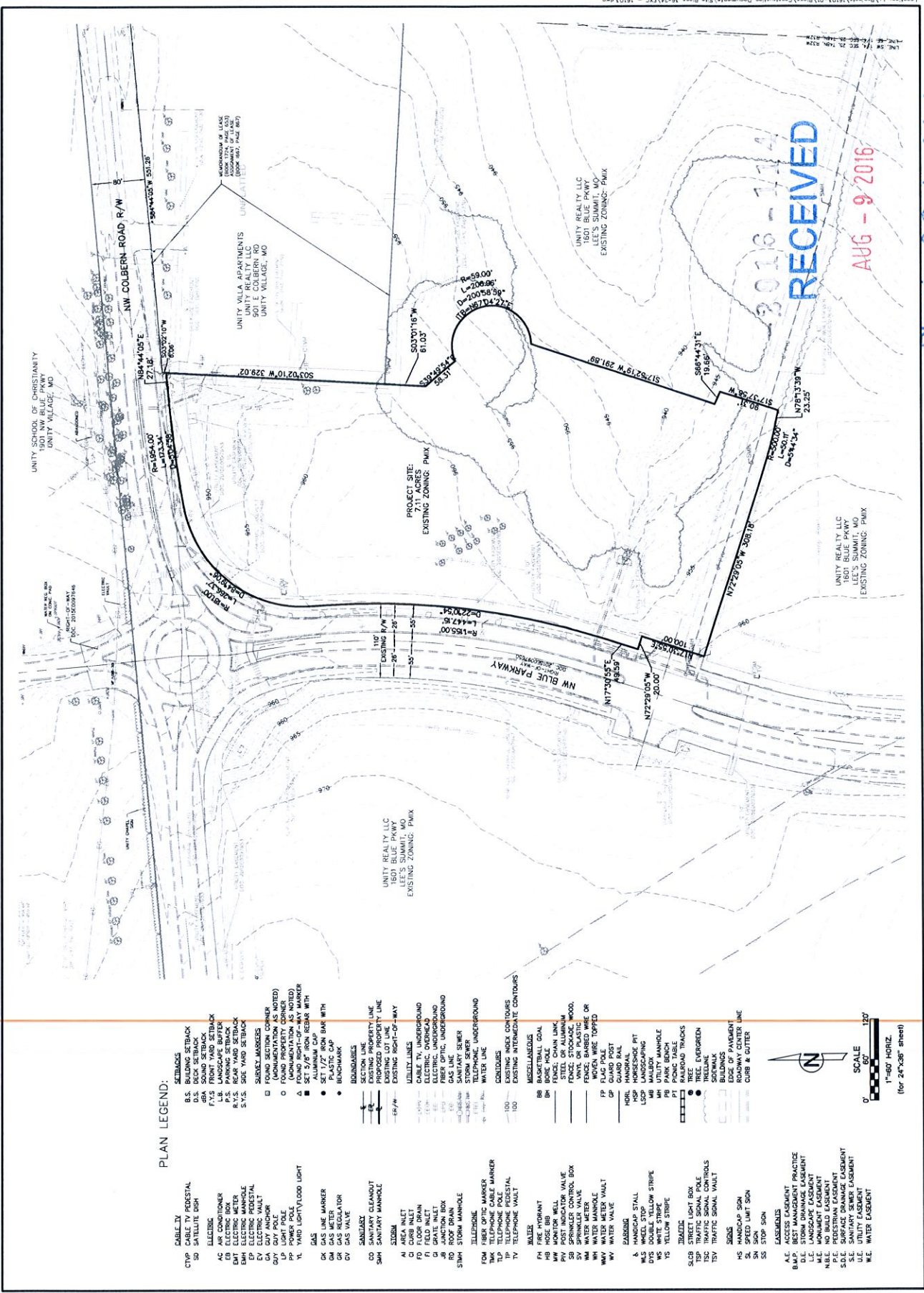
DATE:	03-03-2016	Submitted to City:
NO.:	REVISIONS/APPROVALS	

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Checked By:	PLM
Drawing No.:	16103
Project No.:	16103
Client:	LEE'S SUMMIT, JACKSON COUNTY, MO
Site:	LEE'S SUMMIT, JACKSON COUNTY, MO
Scale:	1"=50'
Sheet No.:	002



EXISTING CONDITIONS
SUMMIT VILLAGE
FIRST FLAT
LEE'S SUMMIT, JACKSON COUNTY, MO

Sheet No.: 002



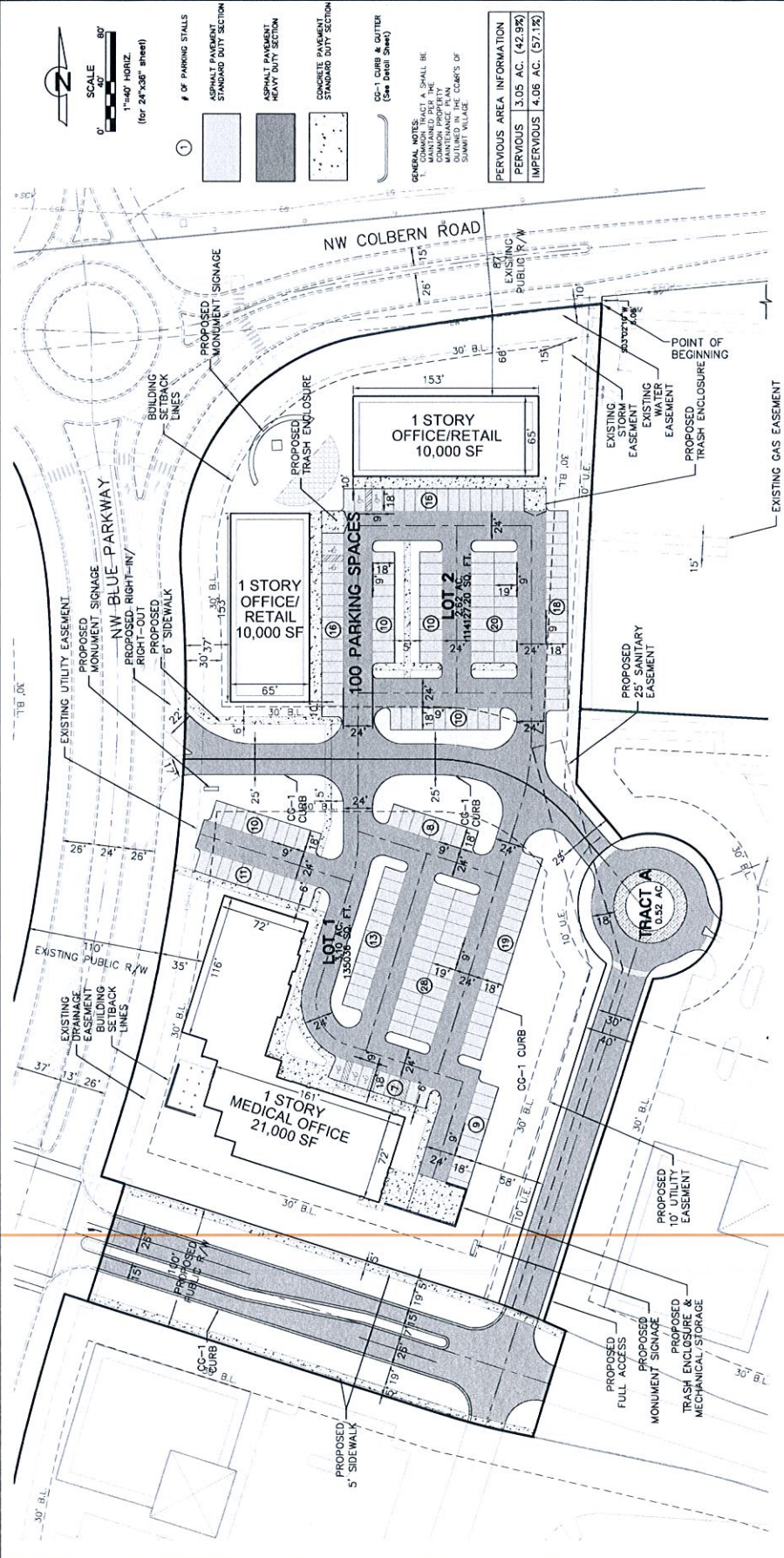
PLAN LEGEND:

- SETBACKS**
 B.S. DECK SETBACK
 D.S. DECK SETBACK
 L.B. LANDSCAPE BUFFER
 L.P. LANDSCAPE PLANTING
 P.S. PARKING SETBACK
 S.V. SIDE YARD SETBACK
- SUBJECT PROPERTY CORNER**
 (MONUMENTATION AS NOTED)
 FOUND PROPERTY CORNER
 FOUND RIGHT-OF-WAY MARKER
 SET 5/8" IRON REBAR WITH PLASTIC CAP
 SET 1/2" BOM BAR WITH PLASTIC CAP
 BENCHMARK
- BOUNDARIES**
 SECTION LINE
 PROPERTY LINE
 PROPOSED PROPERTY LINE
 EXISTING LOT LINE
 EXISTING RIGHT-OF-WAY
- UTILITY LINES**
 CABLE TV, UNDERGROUND
 ELECTRIC, UNDERGROUND
 FIBER OPTIC, UNDERGROUND
 FIBER OPTIC, OVERGROUND
 SANITARY SEWER, UNDERGROUND
 STORM SEWER, UNDERGROUND
 WATER LINE, UNDERGROUND
 WATER LINE, OVERGROUND
- CONTOUR LINES**
 100' EXISTING INTERMEDIATE CONTOURS
 100' EXISTING INTERMEDIATE CONTOURS
- MISCELLANEOUS**
 BB BASKETBALL GOAL
 BB BORE HOLE
 L.I. LIGHT FIXTURE
 S.S. STEEL OR ALUMINUM
 FENCE STORAGE, WOOD
 FENCE STORAGE, METAL
 FENCES BARBED WIRE OR WOVEN WIRE TOPPED
 FP FLAG POLE
 GP GUARD RAIL
 HORL HANDRAIL
 H.P. HORIZONTAL
 L.S.P. LANDSCAPING
 MB MAILBOX
 M.P. MOUNTED PLANTING
 PT PHONE TABLE
 P.T. PAVEMENT THICKNESS
 T.F. TREE EVERGREEN
 T.F. TREE DECIDUOUS
 T.F. TREE TRELLIS
 T.F. TREE YOUNG
 T.F. TREE MATURE
 T.F. TREE OLD
 T.F. TREE DEAD
 T.F. TREE SNAG
 T.F. TREE STUMP
 T.F. TREE BRUSH
 T.F. TREE LIMB
 T.F. TREE TRUNK
 T.F. TREE ROOTS
 T.F. TREE CANOPY
 T.F. TREE SPREAD
 T.F. TREE HEIGHT
 T.F. TREE DENSITY
 T.F. TREE COLOR
 T.F. TREE TEXTURE
 T.F. TREE SHAPE
 T.F. TREE SIZE
 T.F. TREE AGE
 T.F. TREE HEALTH
 T.F. TREE SPECIES
 T.F. TREE VARIETY
 T.F. TREE CULTIVAR
 T.F. TREE PROPAGATION
 T.F. TREE SEEDLING
 T.F. TREE PLANTING
 T.F. TREE MAINTENANCE
 T.F. TREE REMOVAL
 T.F. TREE REPLACEMENT
 T.F. TREE TRANSPLANTING
 T.F. TREE BRIDGING
 T.F. TREE SUPPORT
 T.F. TREE PROTECTION
 T.F. TREE WATERING
 T.F. TREE FERTILIZATION
 T.F. TREE PEST CONTROL
 T.F. TREE DISEASE CONTROL
 T.F. TREE WEED CONTROL
 T.F. TREE MULCHING
 T.F. TREE PRUNING
 T.F. TREE TRAINING
 T.F. TREE STYLING
 T.F. TREE ARTS
 T.F. TREE SCULPTURE
 T.F. TREE INSTALLATION
 T.F. TREE DEMOLITION
 T.F. TREE DISPOSAL
 T.F. TREE RECYCLING
 T.F. TREE COMPOSTING
 T.F. TREE BIODEGRADABLE
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 T.F. TREE NON-FLAMMABLE
 T.F. TREE NON-CORROSIVE
 T.F. TREE NON-IRRITATING
 T.F. TREE NON-ALLERGENIC
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 T.F. TREE NON-TOXIC TO CHILDREN
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 T.F. TREE NON-TOXIC TO ENVIRONMENTAL
 T.F. TREE NON-TOXIC TO CLIMATE
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 T.F. TREE NON-TOXIC TO TERRESTRIAL
 T.F. TREE NON-TOXIC TO AQUATIC
 T.F. TREE NON-TOXIC TO AERIAL
 T.F. TREE NON-TOXIC TO SUBTERRANEAN
 T.F. TREE NON-TOXIC TO SUPERSTERNAL
 T.F. TREE NON-TOXIC TO SUPRACORPUSCULAR
 T.F. TREE NON-TOXIC TO INTERSTELLAR
 T.F. TREE NON-TOXIC TO INTRASTELLAR
 T.F. TREE NON-TOXIC TO EXTRASTELLAR
 T.F. TREE NON-TOXIC TO UNIDENTIFIED
- ROADWAY**
 EDGE OF PAVEMENT
 ROADWAY CENTER LINE
 CURB & GUTTER
- ACCESS EASEMENT**
 PRACTICE
 D.E. STORM DRAINAGE EASEMENT
 L.E. LANDSCAPE EASEMENT
 M.E. MOUNTAIN EASEMENT
 N.E. NO-BUILD EASEMENT
 P.E. PEDESTRIAN EASEMENT
 S.E. SURFACE DRAINAGE EASEMENT
 U.E. UTILITY EASEMENT
 W.E. WATER EASEMENT

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SCALE
1" = 40' HORIZ.
1" = 24' x 30" VERT.
(for 24' x 30" sheet)

GENERAL NOTES:
1. COMMON TRACT A SHALL BE COMMON PROPERTY TO THE ENTIRE COMMON PROPERTY. THE BOUNDARIES OF THE COMMON TRACT A SHALL BE SHOWN ON THE CHARTS OF LEES SUMMIT VILLAGE.

PERVIOUS AREA INFORMATION
PERVIOUS 3.05 AC. (42.9%)
IMPERVIOUS 4.08 AC. (57.1%)

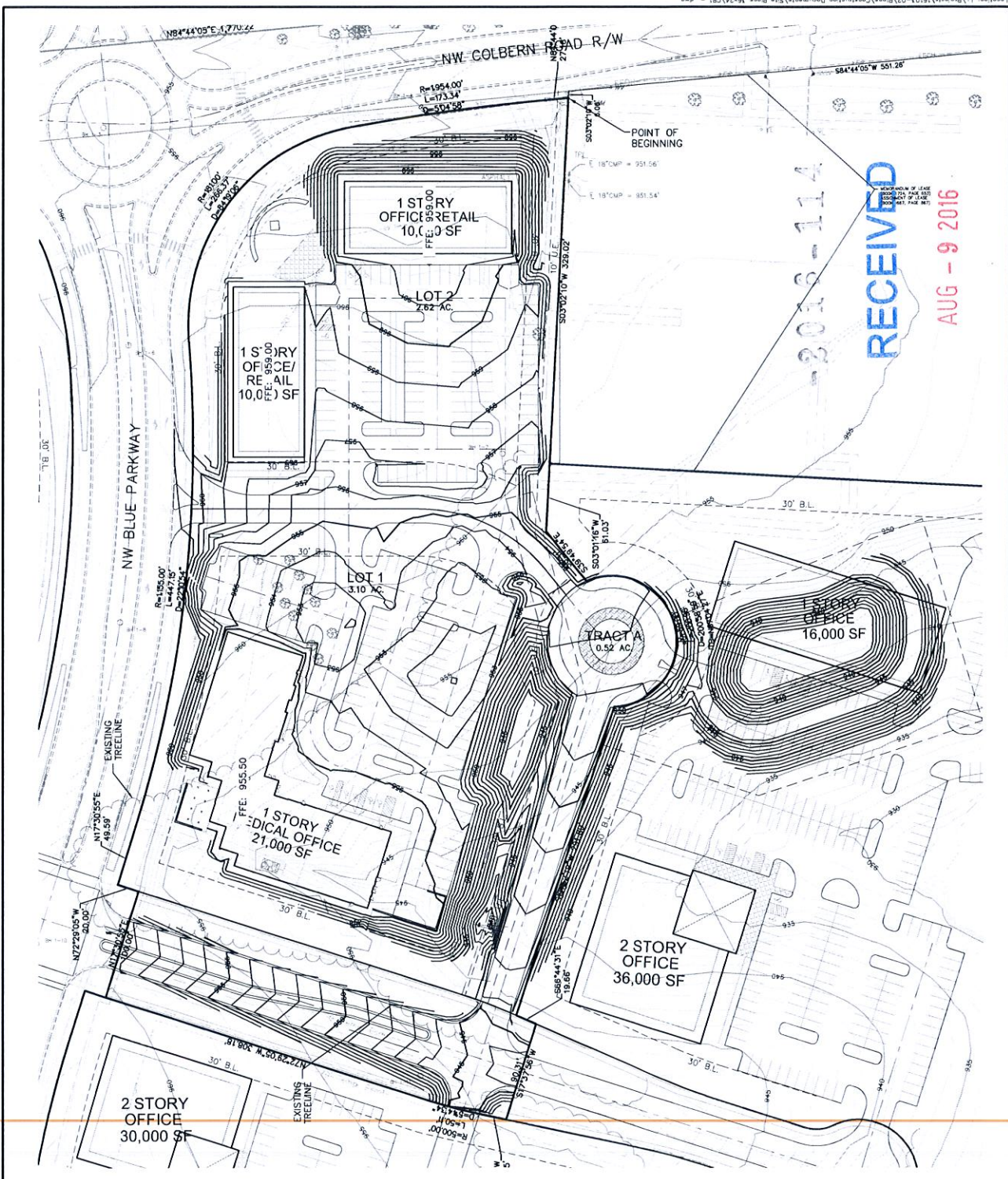
OF PARKING STALLS
ASPHALT PAVEMENT STANDARD DUTY SECTION
ASPHALT PAVEMENT HEAVY DUTY SECTION
CONCRETE PAVEMENT STANDARD DUTY SECTION

CC-1 CURB & GUTTER (See Data Sheet)

SITE DEVELOPMENT DATA

LOTS	EXISTING ZONING	GROSS AREA (SAC)	NET AREA (SAC)	NET AREA (SAC)	NUMBER OF FLOORS	GROSS BUILDING FLOOR AREA (SFT)	MAXIMUM COVERAGE (SF)	FAR	PARKING STALLS REQUIRED	Rate	Provided
1	PMO	1.10	0.81	1.10	One-Story	21,000	21,000	0.18	155	1.7/2,000	155
2	PMO	2.42	0.81	2.42	One-Story	20,000	20,000	0.15	100	1.7/2,000	100
Tract A	PMO	0.32	0.06	0.32	One-Story	0	0	0	0	0	0
Proposed Public SW	PMO	0.07	0.07	0.00	Public-Street	0	0	0	0	0	0
PMO TOTALS		3.91	1.74	3.91		41,000	41,000	0.17 FAV	255		255

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AUG - 9 2016

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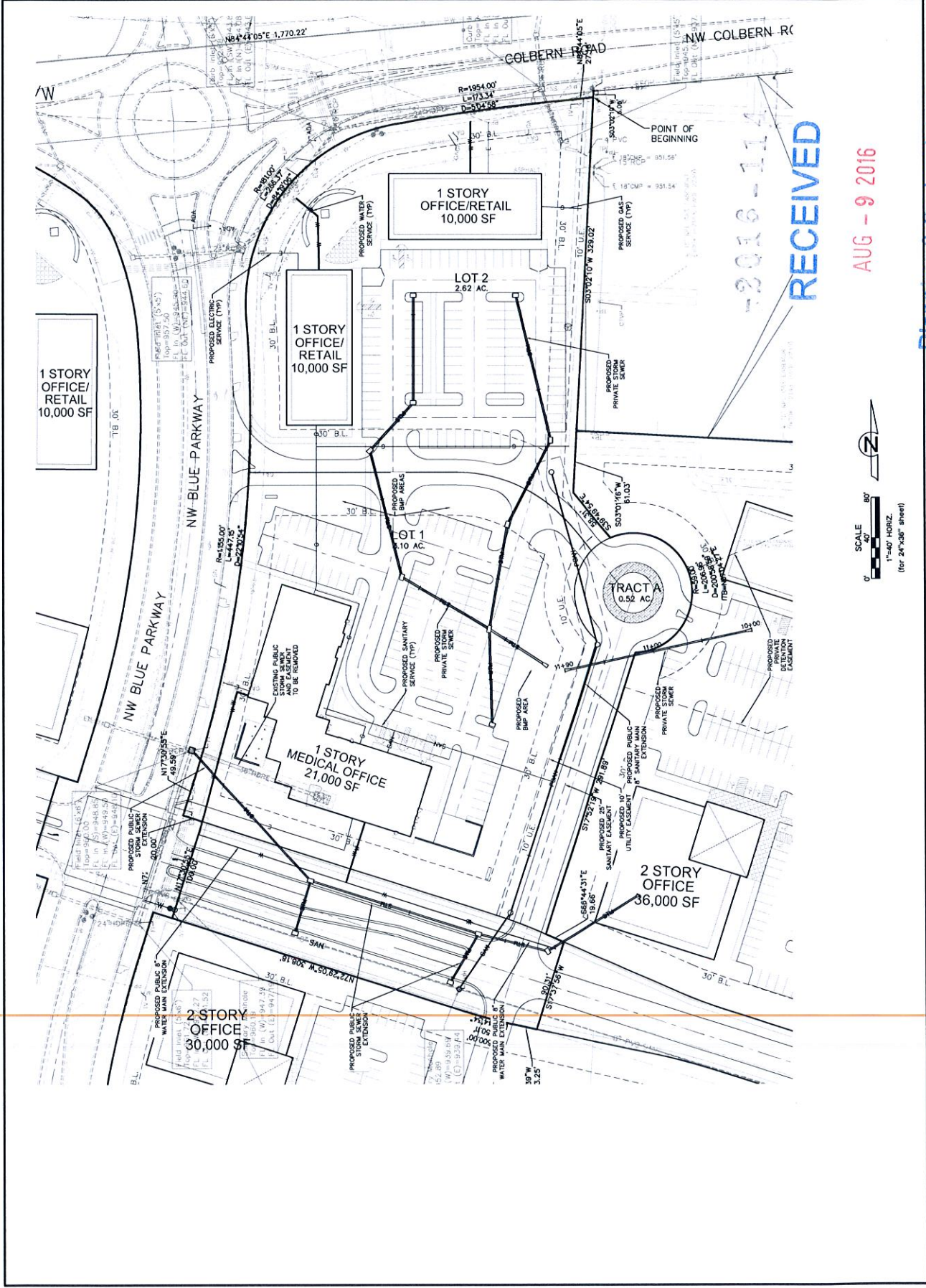
- GENERAL NOTES:
1. CONTRACTOR SHALL ADHERE TO THE SPECIFICATIONS AND STANDARDS AS ADOPTED BY THE CITY OF LEE'S SUMMIT (LATEST EDITION) WITHIN THE PROPOSED RIGHT-OF-WAY.
 2. AREAS OF CONSTRUCTION SHALL BE STRIPPED OF ALL VEGETATION, ORGANIC MATTER AND TOPSOIL TO A MINIMUM OF 6" BELOW FINISH GRADE. SOILS REMOVED SHALL BE STORED IN A CONTAINED MANNER. THE DETERMINATION OF PORTIONS OF THE TOPSOIL STRATUM TO BE REUSED AS STRUCTURAL FILL WITHIN SUITABLE FILL MATERIAL BY THE GEOLOGICAL ENGINEER SHALL BE MADE AT HIS EXPENSE.
 3. CONTRACTOR SHALL ADHERE TO THE SPECIFICATIONS AND STANDARDS AS ADOPTED BY THE CITY OF LEE'S SUMMIT (LATEST EDITION) WITHIN THE PROPOSED RIGHT-OF-WAY.
 4. ALL EMBANKMENT OUTSIDE OF RIGHT-OF-WAY SHALL BE PLACED IN CONTROLLED LIFT-HAVING A MINIMUM OF 10% MOISTURE CONTENT. THE MATERIALS SHOULD BE COMPACTED TO A MINIMUM OF 95% OF THE MATERIAL'S MAXIMUM DRY DENSITY. THE CONTRACTOR SHALL MAINTAIN A RANGE OF 1% TO 3% PERCENT OF OPTIMUM MOISTURE CONTENT.
 5. SPECIAL INSPECTIONS SHALL BE PROVIDED FOR ALL EMBANKMENTS AND SHALL BE MADE BY A LICENSED SURVEYOR OTHER THAN THE CONTRACTOR AS REQUIRED BY THE CITY OF LEE'S SUMMIT, MISSOURI.

EARTHWORK QUANTITIES

CUT (C.Y.)	FILL (C.Y.)
21751	22041

1. EARTHWORK QUANTITIES BASED ON FINISHED GRADE SURFACE AND DO NOT INCLUDE ADJUSTMENTS FOR EXISTING UTILITIES.
2. EARTHWORK QUANTITIES DO NOT TAKE INTO CONSIDERATION EXCAVATION, REMOVAL AND DISPOSAL OF EXISTING UTILITIES OR THE EARTHWORK QUANTITIES FOR EXCAVATION, REMOVAL AND DISPOSAL OF EXISTING UTILITIES.
3. CONTRACTOR IS RESPONSIBLE FOR EXCAVATION, REMOVAL AND DISPOSAL OF EXISTING UTILITIES AND FOR REPLACING IT WITH SUITABLE MATERIAL.





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SCALE
 0' 40' 80'
 1"=40' HORIZ.
 (for 24"x36" sheet)

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NO.:	REVISIONS/APPROVALS
DATE:	06-03-2016
PREPARED BY:	City of Summit
DESIGNED BY:	
CHECKED BY:	
DATE:	10/15/15
PROJECT NO.:	
NO.:	

NO.:	REVISIONS/APPROVALS
DATE:	06-03-2016
PREPARED BY:	City of Summit
DESIGNED BY:	
CHECKED BY:	
DATE:	10/15/15
PROJECT NO.:	
NO.:	

NO. STATE CERTIFICATE OF AUTHORITY # 200702824

LUTJEN

1000 N. MAIN ST. SUITE 100
SUMMIT, MO 64081

DESIGNED BY: [Signature]
CHECKED BY: [Signature]
DATE: 10/15/15

DETAIL SHEET

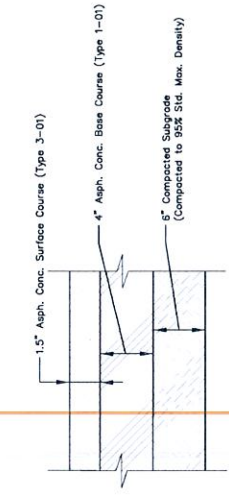
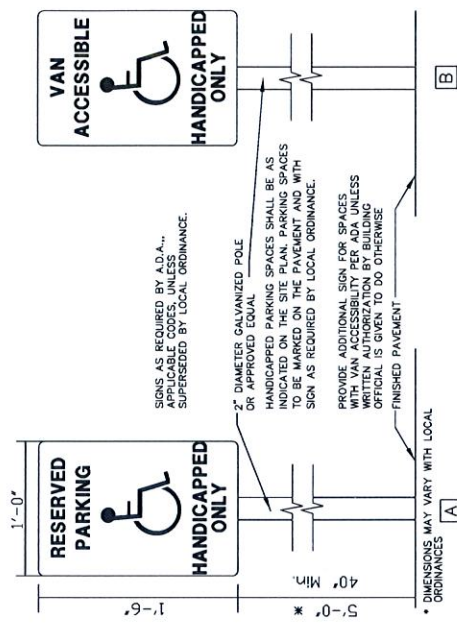
SUMMIT VILLAGE

FIRST PLAT

LEES SUMMIT, JACKSON COUNTY, MO

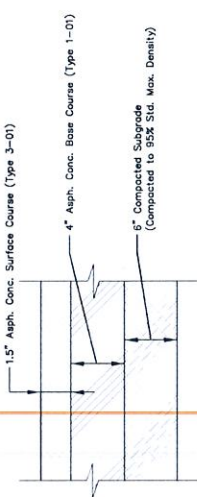
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C006



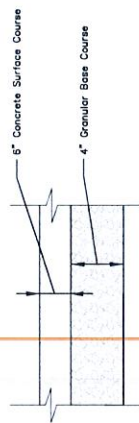
STANDARD DUTY ASPHALT PAVEMENT SECTION

N.T.S.



HEAVY DUTY ASPHALT PAVEMENT SECTION

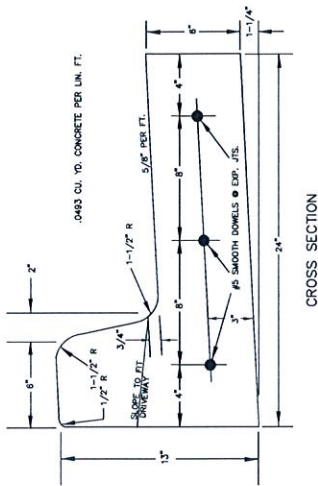
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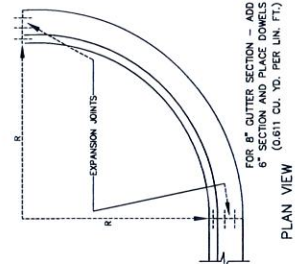
CONCRETE PAVEMENT SECTION

N.T.S.

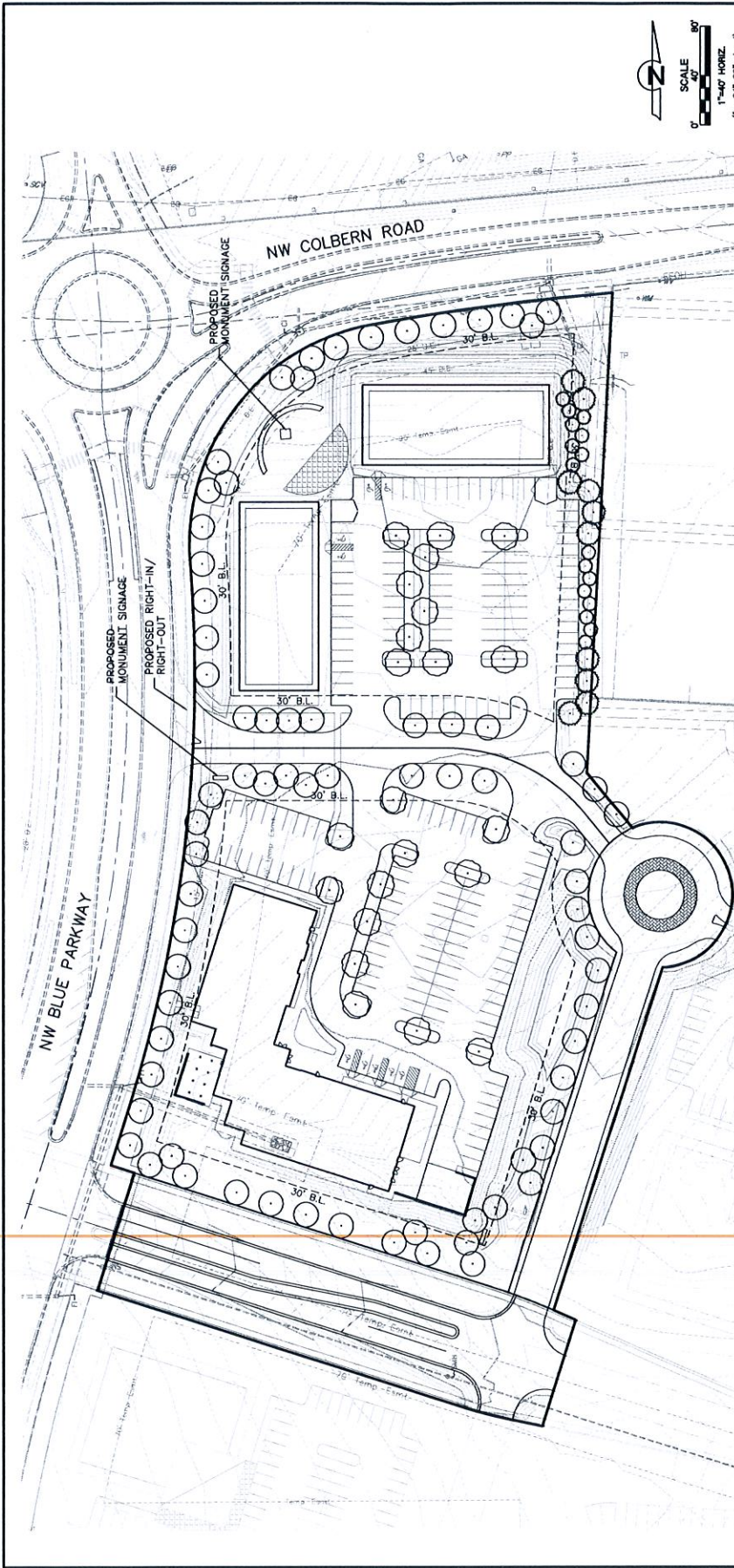
Note: Pavement section specifications based on Lee's Summit UDO - Table 12-5



- OF EXPANSION JOINT LOCATIONS
- N.T.S.
- TYPE CC-1 STRAIGHT-BACK CURB & GUTTER**
- 3/4" EXPANSION JOINTS WITH 2" DOWELS TO BE PLACED AT RADIUS POINTS AND AT 250' INTERVALS. THESE DOWELS SHALL BE GREASED AND WRAPPED ON ONE END WITH EXPANSION TUBES.
 - 1-1/2" DEEP CONTRACTION JOINTS SHALL BE INSTALLED AT APPROXIMATELY 75' INTERVALS. THESE JOINTS SHALL PASS THROUGH THE ENTIRE CURB SECTION.
 - FIX DOWELS WITH BAR CHAIRS OR EQUAL.
 - WHEELCHAIR RAMPS SHALL BE CONSTRUCTED PER STANDARD DETAIL SD-17.



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CONCEPT PLANT SCHEDULE
(for 24"x36" sheet)

PLANT	QUANTITY	PLANT	QUANTITY
1. 12" ROUND BROWN TREES	100	10. 12" ROUND BROWN TREES	100
2. 18" ROUND BROWN TREES	50	11. 18" ROUND BROWN TREES	50
3. 24" ROUND BROWN TREES	25	12. 24" ROUND BROWN TREES	25
4. 30" ROUND BROWN TREES	15	13. 30" ROUND BROWN TREES	15
5. 36" ROUND BROWN TREES	10	14. 36" ROUND BROWN TREES	10
6. 42" ROUND BROWN TREES	5	15. 42" ROUND BROWN TREES	5
7. 48" ROUND BROWN TREES	3	16. 48" ROUND BROWN TREES	3
8. 54" ROUND BROWN TREES	2	17. 54" ROUND BROWN TREES	2
9. 60" ROUND BROWN TREES	1	18. 60" ROUND BROWN TREES	1

SUMMIT VILLAGE LANDSCAPE CALCULATIONS (SEE SUMMIT.MXD)

LOT NUMBER	BUILDING SF	LANDSCAPE PAVING AREA (ASPHALT/CONCRETE)	LANDSCAPE PAVING AREA (GRASS)	LANDSCAPE PAVING AREA (TOTAL)	NEW PLANTING (TOTAL)	NEW PLANTING (TREES)	NEW PLANTING (SHRUBS)	NEW PLANTING (PERENNIALS)	NEW PLANTING (ANNUALS)	NEW PLANTING (TOTAL)	NEW PLANTING (TREES)	NEW PLANTING (SHRUBS)	NEW PLANTING (PERENNIALS)	NEW PLANTING (ANNUALS)	NEW PLANTING (TOTAL)
1	21,000	10,500	10,500	21,000	100	50	25	15	10	100	50	25	15	100	
2	21,000	10,500	10,500	21,000	100	50	25	15	10	100	50	25	15	100	
TOTAL	42,000	21,000	21,000	42,000	200	100	50	30	20	200	100	50	30	200	

LANDSCAPE RECOMMENDATIONS:
 1. ALL PLANTING SHALL BE INSTALLED WITHIN THE PROPOSED LANDSCAPE PLAN.
 2. ALL PLANTING SHALL BE INSTALLED WITHIN THE PROPOSED LANDSCAPE PLAN.
 3. ALL PLANTING SHALL BE INSTALLED WITHIN THE PROPOSED LANDSCAPE PLAN.
 4. ALL PLANTING SHALL BE INSTALLED WITHIN THE PROPOSED LANDSCAPE PLAN.
 5. ALL PLANTING SHALL BE INSTALLED WITHIN THE PROPOSED LANDSCAPE PLAN.

COMMON NAME

COMMON NAME	CARE	SIZE
1. 12" ROUND BROWN TREES	12"	12"
2. 18" ROUND BROWN TREES	18"	18"
3. 24" ROUND BROWN TREES	24"	24"
4. 30" ROUND BROWN TREES	30"	30"
5. 36" ROUND BROWN TREES	36"	36"
6. 42" ROUND BROWN TREES	42"	42"
7. 48" ROUND BROWN TREES	48"	48"
8. 54" ROUND BROWN TREES	54"	54"
9. 60" ROUND BROWN TREES	60"	60"

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2016-114

Planning & Codes Admin

A005

DATE: 08/09/16
DRAWN BY: JVA
CHECKED BY:

RENDERED
PERSPECTIVES

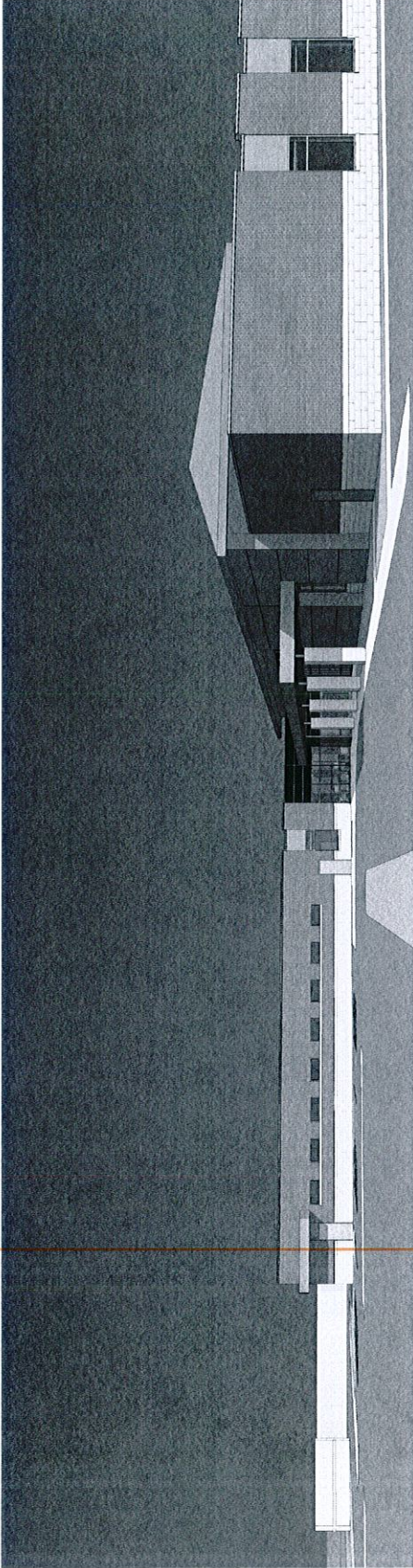
SUMMIT EYE CENTER
EYE CLINIC AND AMBULATORY SURGERY CENTER
LEES SUMMIT, MO

DATE	DESCRIPTION
08/09/16	GROUPS: DR. SAMUEL, NICHOLSON FOR CONSTRUCTION

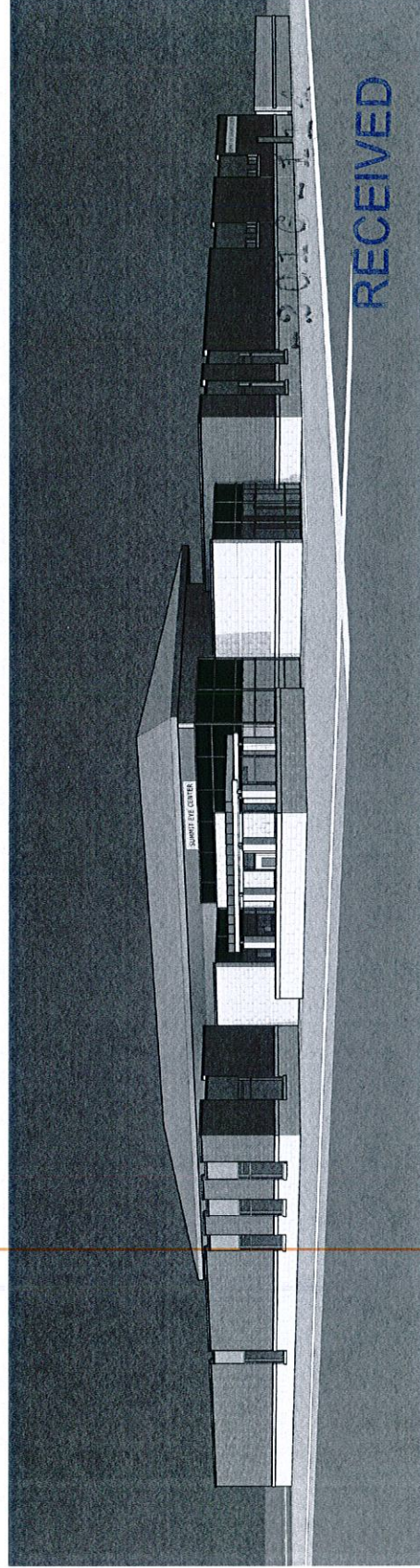
DATE: 08/09/16
DRAWN BY: JVA
CHECKED BY:

DATE: 08/09/16
DRAWN BY: JVA
CHECKED BY:

4800 WEST OLD SHAWNEE ROAD
SUITE 500
LEES SUMMIT, MISSOURI 64081
PHONE: 913.996.9000
WWW.SPERRIDESREINERSARCHITECTS.COM



1 NORTH EAST VIEW PRESENTATION



2 SOUTH WEST VIEW PRESENTATION

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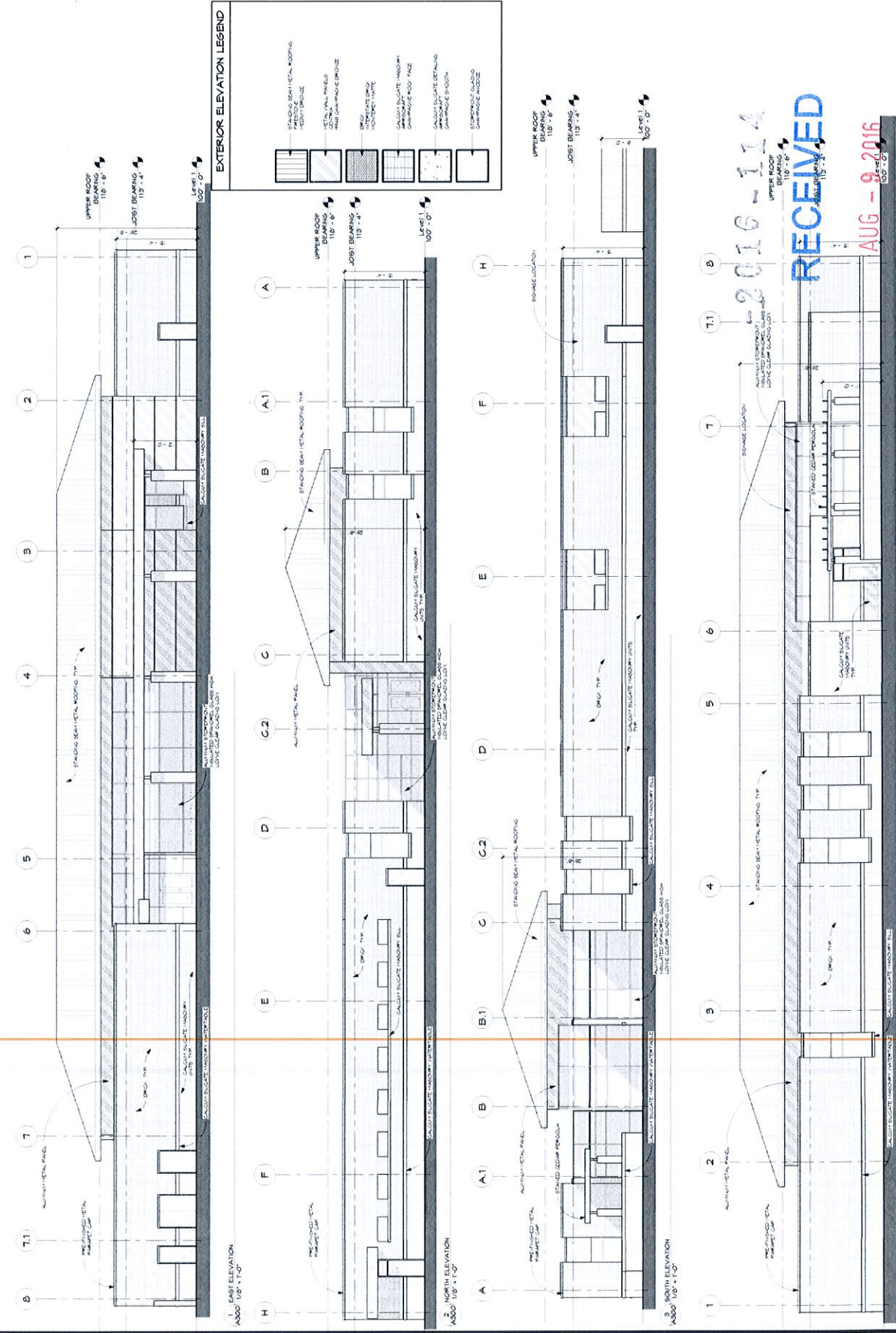
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[Pattern]	STANDING SEAM METAL ROOFING
[Pattern]	ALUMINUM METAL PANEL
[Pattern]	EMERALD METAL PANEL
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM AND GUTTER
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM AND GUTTER AND DOWNSPOUT
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM AND GUTTER AND DOWNSPOUT AND GUTTER PROTECTION
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM AND GUTTER AND DOWNSPOUT AND GUTTER PROTECTION AND GUTTER PROTECTION
[Pattern]	EMERALD METAL PANEL WITH STAINLESS STEEL TRIM AND GUTTER AND DOWNSPOUT AND GUTTER PROTECTION AND GUTTER PROTECTION AND GUTTER PROTECTION

SUMMIT EYE CENTER
EYE CLINIC AND AMBULATORY SURGERY CENTER
LEES SUMMIT, MD

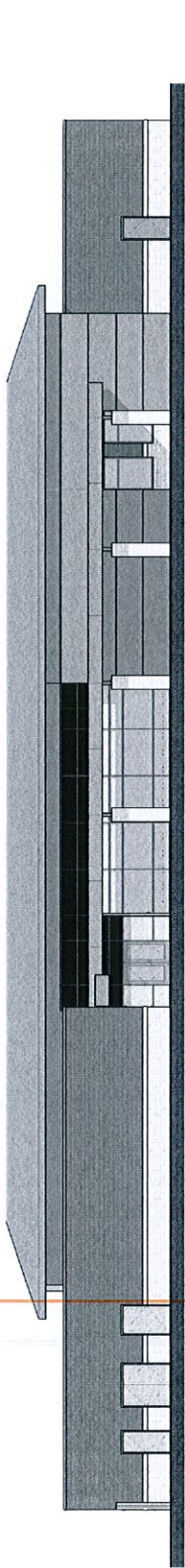
EXTERIOR ELEVATIONS
PROJECT NO. 16-014
DATE: 08/09/16
CHECKED BY: [Signature]

A300

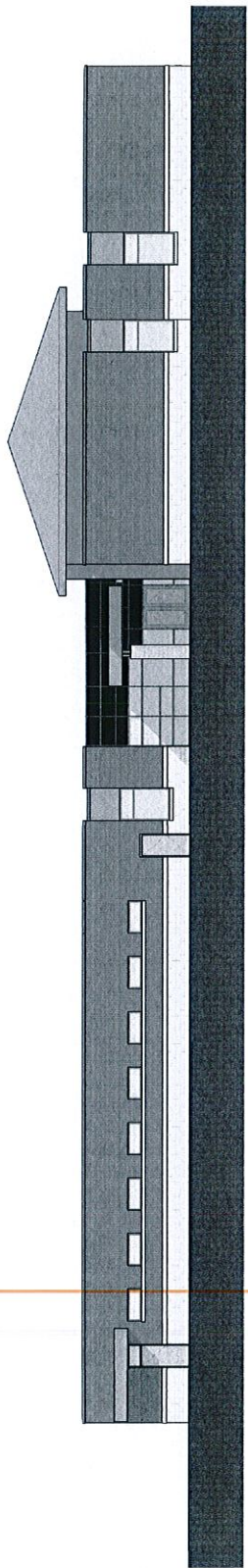
Planning & Codes Admin



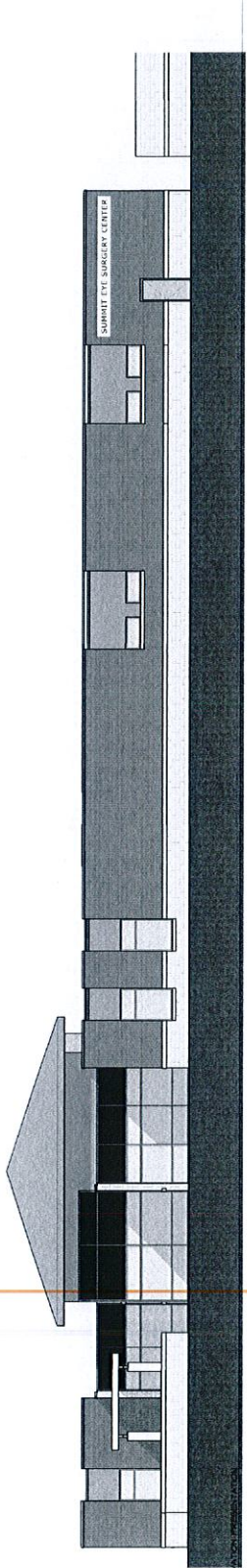
2016-114
RECEIVED
AUG - 9 - 2016



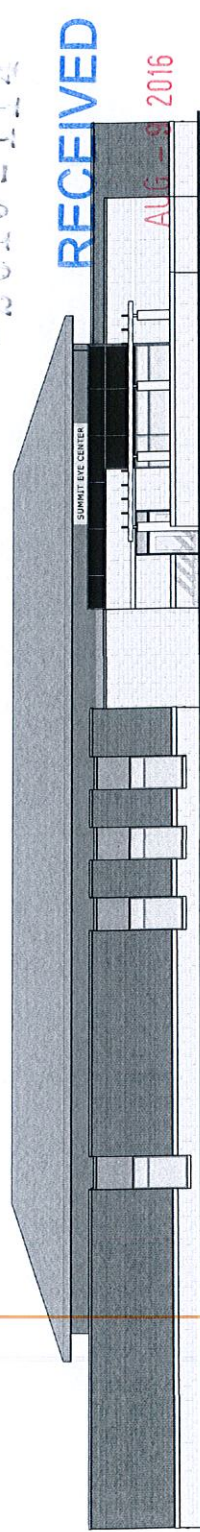
1. EAST ELEVATION PRESENTATION
1/30' 1/8" = 1'-0"



2. NORTH ELEVATION PRESENTATION
1/30' 1/8" = 1'-0"



3. SOUTH ELEVATION PRESENTATION
1/30' 1/8" = 1'-0"



4. WEST ELEVATION PRESENTATION
1/30' 1/8" = 1'-0"

Planning & Codes Admin

A301

DATE: 08/09/16
DRAWN BY: [illegible]
CHECKED BY: [illegible]

RENDERED EXTERIOR
ELEVATIONS

SUMMIT EYE CENTER
EYE CLINIC AND AMBULATORY SURGERY CENTER
LEES SUMMIT, MO

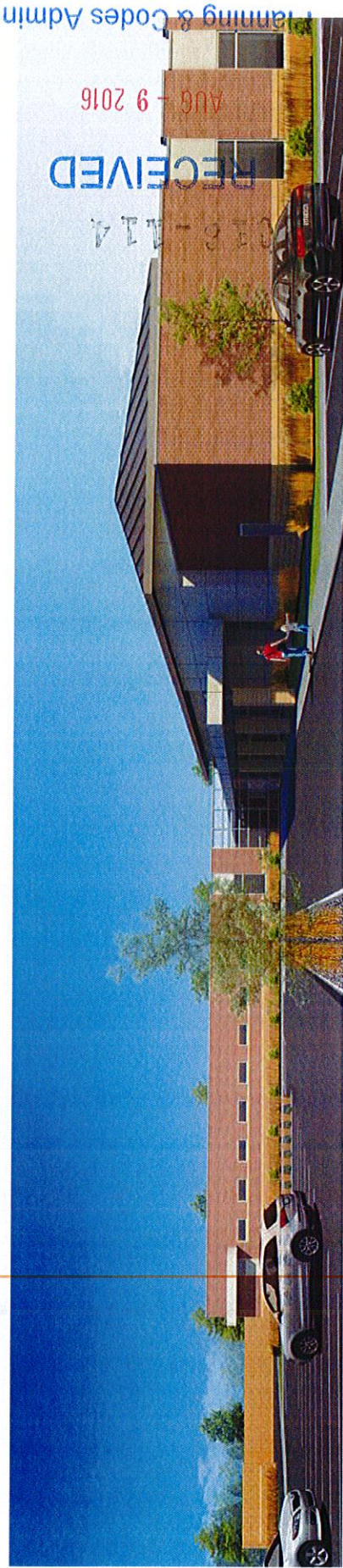
SCALE:	1/30' 1/8" = 1'-0"
DATE:	08/09/16
DRAWN BY:	[illegible]
CHECKED BY:	[illegible]
PROJECT:	SUMMIT EYE CENTER
LOCATION:	LEES SUMMIT, MO
DESCRIPTION:	RENDERED EXTERIOR ELEVATIONS

THIS DOCUMENT IS RELATED TO
THE PROJECT OF THE ARCHITECTURE
FIRM'S CLIENT AND IS NOT TO BE
REPRODUCED OR TRANSMITTED IN
ANY FORM OR BY ANY MEANS
ELECTRONIC OR MECHANICAL,
INCLUDING PHOTOCOPYING,
RECORDING, OR BY ANY
INFORMATION STORAGE AND
RETRIEVAL SYSTEM.

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SUITE 200
BLOOMINGTON, MISSOURI 64307
PH: 959-999-9999
FAX: 959-999-9999
WWW.SPERIDESREINHOLD.COM

SPERIDES REINHOLD ARCHITECTS, INC.
SRa

SUMMIT EYE CENTER
RENDERED PERSPECTIVES



INSPIRE.

CREATE.

ENDURE.

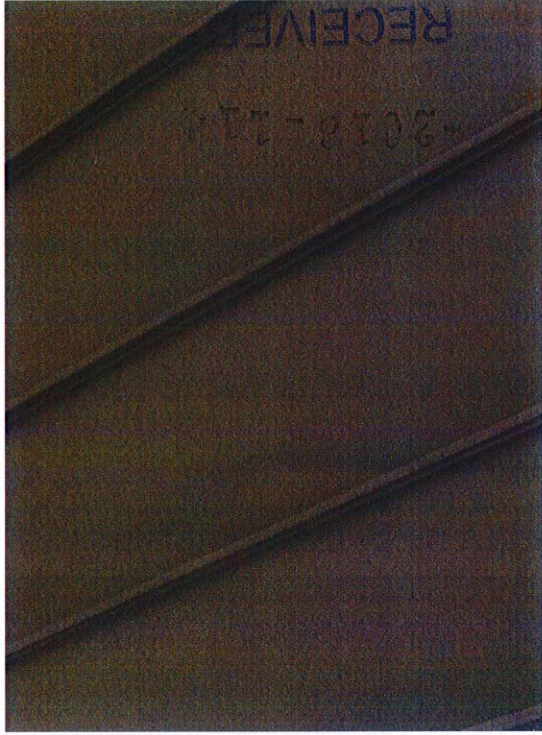
SUMMIT VILLAGE
LOT 2



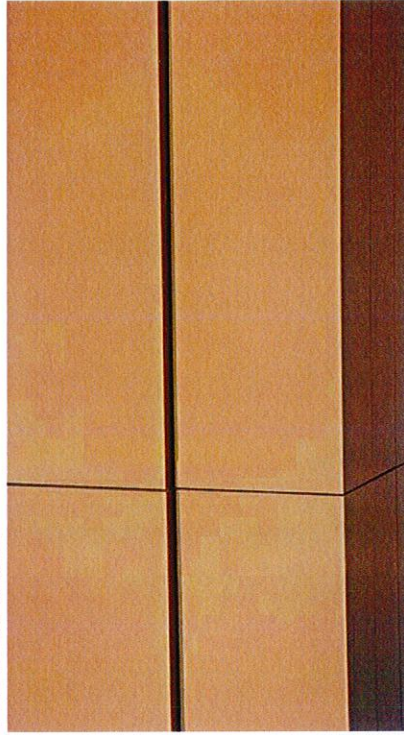
SUMMIT EYE CENTER
EXTERIOR MATERIAL
SELECTIONS

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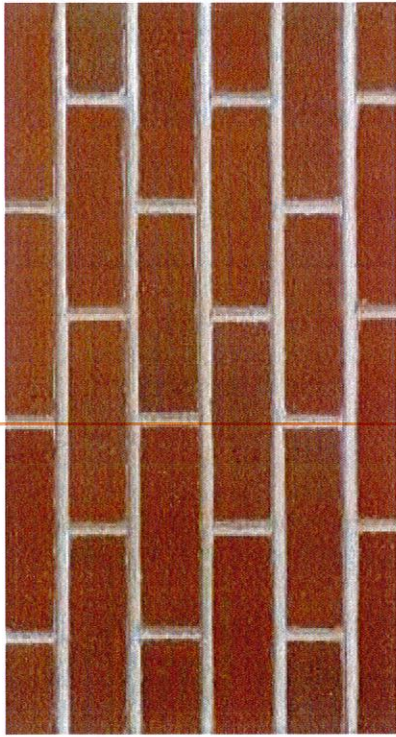
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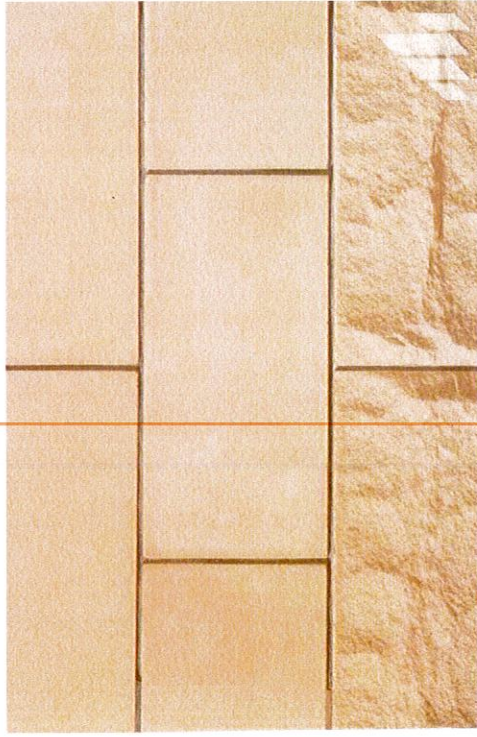
STANDING SEAM METAL ROOF
FIRESTONE
MEDIUM BRONZE



METAL WALL PANELS
CENTRIA
9948 CHAMPAGNE BRONZE



BRICK
INTERSTATE BRICK
MONTEREY MATTE



CALCIUM SILICATE MASONRY
ARRISCRAFT
CHAMPAGNE SMOOTH AND CHAMPAGNE ROCK FACE

- NOT SHOWN:
- ALUMINUM STOREFRONT CHAMPAGNE ANODIZED
 - INSULATED CLEAR GLAZING
 - INSULATED SPANDREL GLAZING

INSPIRE. CREATE. ENDURE.

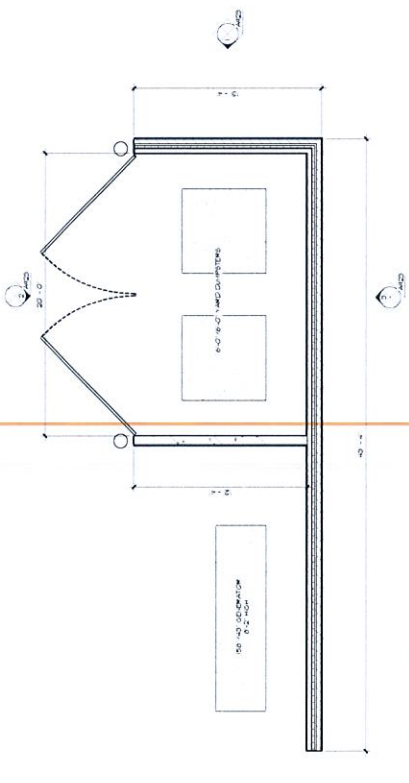
NO.	DATE	DESCRIPTION
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2	08/09/16	ISSUED FOR PERMITS
3	08/09/16	ISSUED FOR PERMITS

SUMMIT EYE CENTER
EYES SURVIV, MO

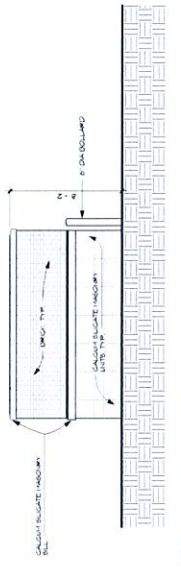
TRASH ENCLOSURE
DETAILS

DATE: 08/09/16
DRAWN BY: [Name]
CHECKED BY: [Name]

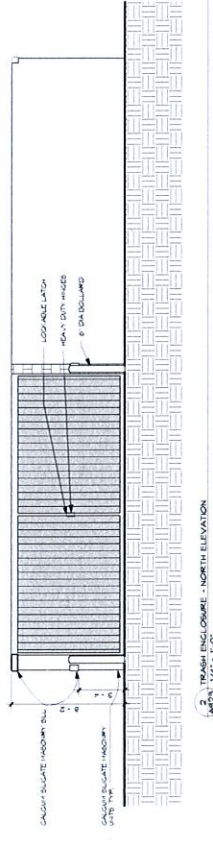
A923



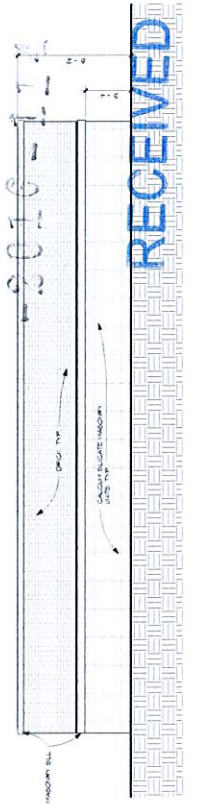
1 A923 TRASH ENCLOSURE - PLAN
1/4" = 1'-0"



1 A923 TRASH ENCLOSURE - EAST ELEVATION
1/4" = 1'-0"



2 A923 TRASH ENCLOSURE - NORTH ELEVATION
1/4" = 1'-0"

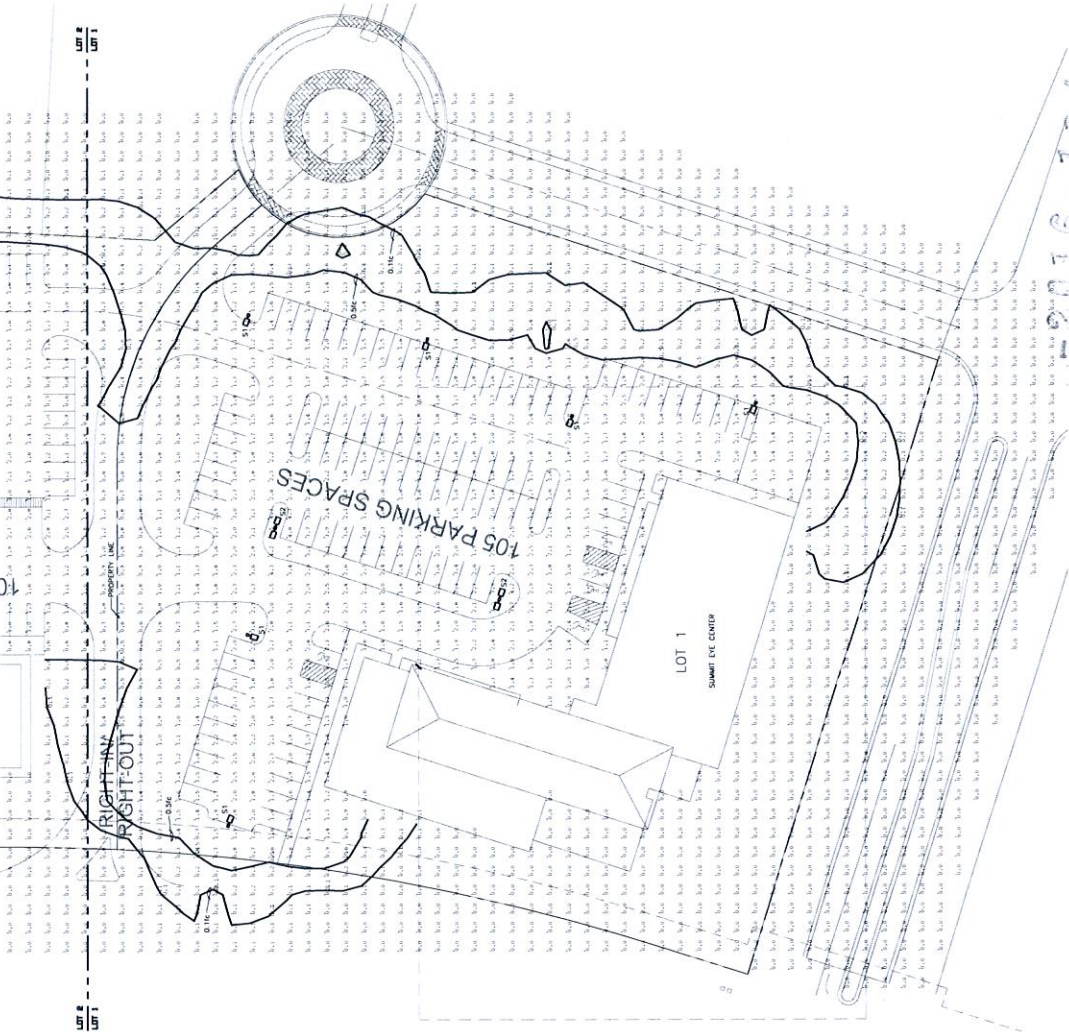


3 A923 TRASH ENCLOSURE - SOUTH ELEVATION
1/4" = 1'-0"

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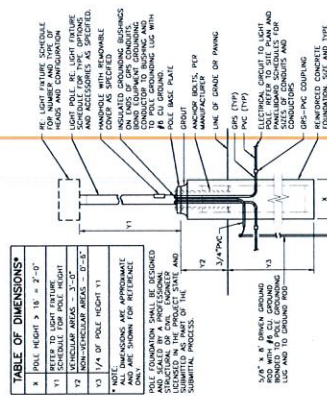
Planning & Codes Admin



Calculation Summary

Category	Unit	Area	Per Sq Ft	Max	Min	Avg	Max	Min	Avg
LOT 1 BUILDING SURFACE	SQ FT	15,000	1.5	5.5	0.7	2.91	7.6	0.6	3.02
LOT 2 PARKING SURFACE	SQ FT	15,000	1.5	5.5	0.7	2.91	7.6	0.6	3.02
TOTAL	SQ FT	30,000	1.5	5.5	0.7	2.91	7.6	0.6	3.02

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2 POLE BASE DETAIL
 NO SCALE

TABLE OF DIMENSIONS*

- * POLE HEIGHT > 18' = 2'-0"
- 1) REFER TO LIGHT FIXTURE DATA SHEET FOR LIGHT FIXTURE TYPE, MOUNTING HOOKS, AND ACCESSORIES AS SPECIFIED.
- 2) NON-VITREOUS AREAS: 0'-2"
- 3) 1/4" OF POLE HEIGHT 11
- 4) ALL DIMENSIONS ARE APPROXIMATE AND ARE SHOWN FOR REFERENCE ONLY.
- 5) POLE FOUNDATION SHALL BE DESIGNED BY A LICENSED PROFESSIONAL ENGINEER AND SUBMITTED AS PART OF THE SUBMITTAL PROCESS.
- 6) 3/4" PVC
- 7) 3/4" PVC
- 8) 3/4" PVC
- 9) 3/4" PVC
- 10) 3/4" PVC
- 11) 3/4" PVC
- 12) 3/4" PVC
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- 96) 3/4" PVC
- 97) 3/4" PVC
- 98) 3/4" PVC
- 99) 3/4" PVC
- 100) 3/4" PVC

LIGHT FIXTURE SCHEDULE

TYPE	MANUFACTURER	MODEL NUMBER	TYPE	SIZE	WALTS	WATT	DESCRIPTION
ST	MORGAN ELEGON	ELECON-4-LED-4W-60-4000K-4-0	LED	4" DIA	400	4.0	RECESSED 4" DIA. LED DOWNLIGHT WITH INTEGRAL DRIVER. MOTION SENSOR FOR BALLET TO REDUCE LIGHT LEVELS. DIMMING CAPABLE. 4000K. 4" DIA. 4" W. 4" H. 4" D. 4" L. 4" W. 4" H. 4" D. 4" L.
SR	MORGAN ELEGON	ELECON-4-LED-4W-60-4000K-4-0	LED	4" DIA	400	4.0	RECESSED 4" DIA. LED DOWNLIGHT WITH INTEGRAL DRIVER. MOTION SENSOR FOR BALLET TO REDUCE LIGHT LEVELS. DIMMING CAPABLE. 4000K. 4" DIA. 4" W. 4" H. 4" D. 4" L. 4" W. 4" H. 4" D. 4" L.
SU	WILLIAMS COOPER	W400-4-LED-4W-60-4000K-4-0	LED	4" DIA	400	4.0	RECESSED 4" DIA. LED DOWNLIGHT WITH INTEGRAL DRIVER. MOTION SENSOR FOR BALLET TO REDUCE LIGHT LEVELS. DIMMING CAPABLE. 4000K. 4" DIA. 4" W. 4" H. 4" D. 4" L. 4" W. 4" H. 4" D. 4" L.
SW	WILLIAMS COOPER	W400-4-LED-4W-60-4000K-4-0	LED	4" DIA	400	4.0	RECESSED 4" DIA. LED DOWNLIGHT WITH INTEGRAL DRIVER. MOTION SENSOR FOR BALLET TO REDUCE LIGHT LEVELS. DIMMING CAPABLE. 4000K. 4" DIA. 4" W. 4" H. 4" D. 4" L. 4" W. 4" H. 4" D. 4" L.

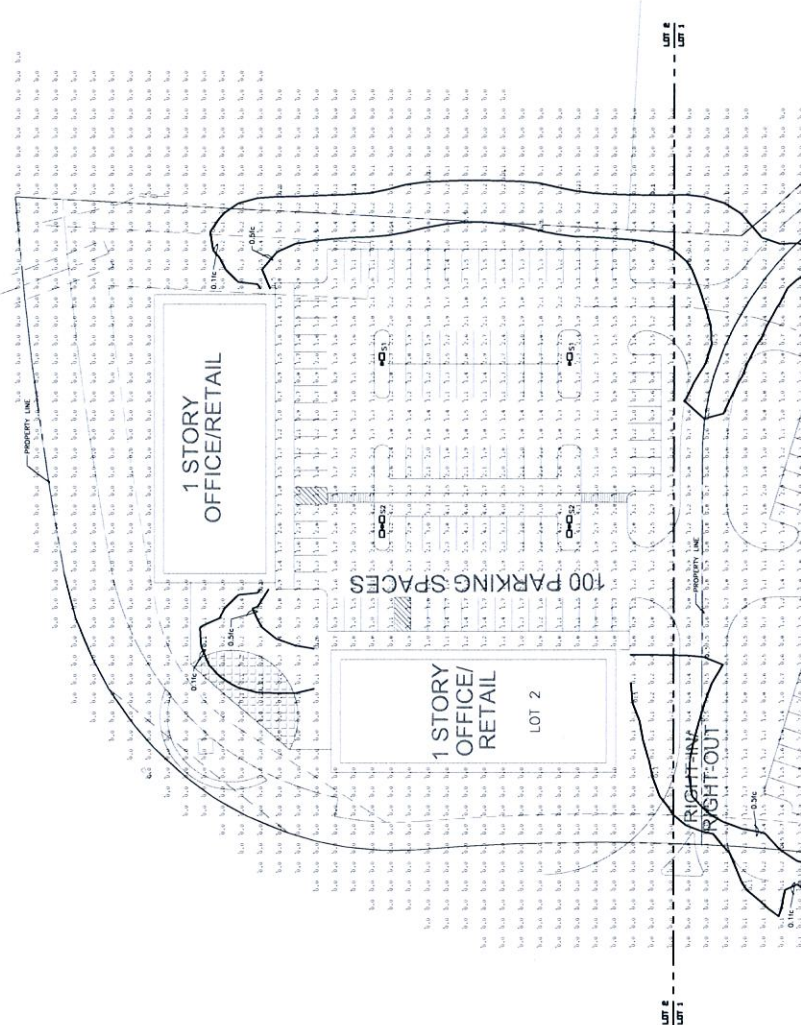
DATE	DESCRIPTION
08/09/16	ISSUED FOR PERMITS
08/09/16	ISSUED FOR PERMITS
08/09/16	ISSUED FOR PERMITS

SUMMIT EYE CENTER
 EYE CLINIC AND AMBULATORY SURGERY CENTER
 LEES SUMMIT, MD

ELECTRICAL SITE
 PHOTOMETRIC
 PLAN

DESIGNED BY: [Name]
 DRAWN BY: [Name]
 CHECKED BY: [Name]

ES011



Calculation Summary						
Category	Units	Avg	Max	Min	Appln	Methd
RELATIVE HUMIDITY	FC	0.56	0.57	N/A	N/A	N/A
RELATIVE HUMIDITY	FC	1.51	1.6	0.6	1.50	7.87
RELATIVE HUMIDITY	FC	1.51	1.6	0.6	1.50	7.87

1 ELECTRICAL SITE PHOTOMETRIC PLAN
 SCALE: 1"=30'



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TYPE S1, S2

Category	Color
Trim	White
Trim	Black
Trim	Grey

McGraw-Edison

DESCRIPTION

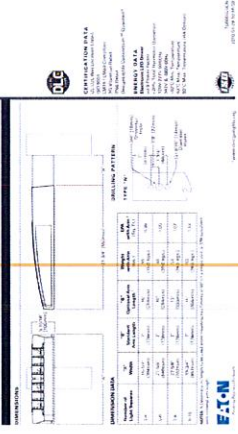
This Galleon LED Downlight is available in two sizes, S1 and S2. The S1 size is 4.5" in diameter and the S2 size is 6.5" in diameter. The Galleon LED Downlight features a wide beam angle of 45° and a maximum height of 4.5" (S1) and 6.5" (S2). The Galleon LED Downlight is available in three colors: white, black, and grey.

FEATURES

- 45° beam angle
- 4.5" and 6.5" diameter
- 4.5" and 6.5" height
- White, black, and grey trim
- 120V AC, 60Hz
- 15W (S1) and 30W (S2)
- 150lm (S1) and 300lm (S2)
- 30,000 hours life expectancy
- Low profile, 4.5" and 6.5" height
- Wide beam angle, 45°
- Adjustable trim for recessed or surface mounting

ORDERING INFORMATION

PH15 - 2, 217, 65 - OPTIONS • LED • 15W • 4.5"



McGraw-Edison | GLEON LED GALLEON LED | 15W Light Source | 45° Beam Angle | 4.5" / 6.5" Dia. | 4.5" / 6.5" H. | 150lm / 300lm | 30,000 hrs. Life | 120V AC, 60Hz | 15W / 30W | 150lm / 300lm | 30,000 hrs. Life | 120V AC, 60Hz | 15W / 30W

100 Line 102 Performance Scence

Page 2 of 3

FINISH

White
Black
Grey

OPTIONS

1. LED Type: 150
2. LED Power: 15W
3. LED Voltage: 120V AC
4. LED Beam Angle: 45°
5. LED Height: 4.5"

ENVIRONMENTAL INFORMATION

RoHS Compliant

WARRANTY

3 Year

HENDERSON ENGINEERS

200 W. 10th Street, Suite 101
P.O. Box 100
Tulsa, Oklahoma 74101
918.462.1000

NO.	DESCRIPTION	QTY.
1	100 Line 102 Performance Scence	1
2	100 Line 102 Performance Scence	1

100 Line 102 Performance Scence

PH15 - 2, 217, 65 - OPTIONS • LED • 15W • 4.5"

TYPE SD1

2.5" ROUND DOWNLIGHT - HORIZONTAL LAMP PH15

Series	Submittal	Job	Type
PH15	PH15 - 2, 217, 65 - OPTIONS • LED • 15W • 4.5"	OUTLINE	2.5" Round Downlight - Horizontal Lamp



FEATURES

- 2.5" round diameter
- 15W LED
- 45° beam angle
- 120V AC, 60Hz
- 150lm
- 30,000 hours life expectancy

ORDERING INFORMATION

PH15 - 2, 217, 65 - OPTIONS • LED • 15W • 4.5"

100 Line 102 Performance Scence

Page 1 of 3

FINISH

White
Black
Grey

OPTIONS

1. LED Type: 150
2. LED Power: 15W
3. LED Voltage: 120V AC
4. LED Beam Angle: 45°
5. LED Height: 4.5"

ENVIRONMENTAL INFORMATION

RoHS Compliant

WARRANTY

3 Year

100 Line 102 Performance Scence

Page 2 of 3

FINISH

White
Black
Grey

OPTIONS

1. LED Type: 150
2. LED Power: 15W
3. LED Voltage: 120V AC
4. LED Beam Angle: 45°
5. LED Height: 4.5"

ENVIRONMENTAL INFORMATION

RoHS Compliant

WARRANTY

3 Year

100 Line 102 Performance Scence

PH15 - 2, 217, 65 - OPTIONS • LED • 15W • 4.5"

PHILIPS GARDCO Planning & Codes Admin

AUG - 9 2016

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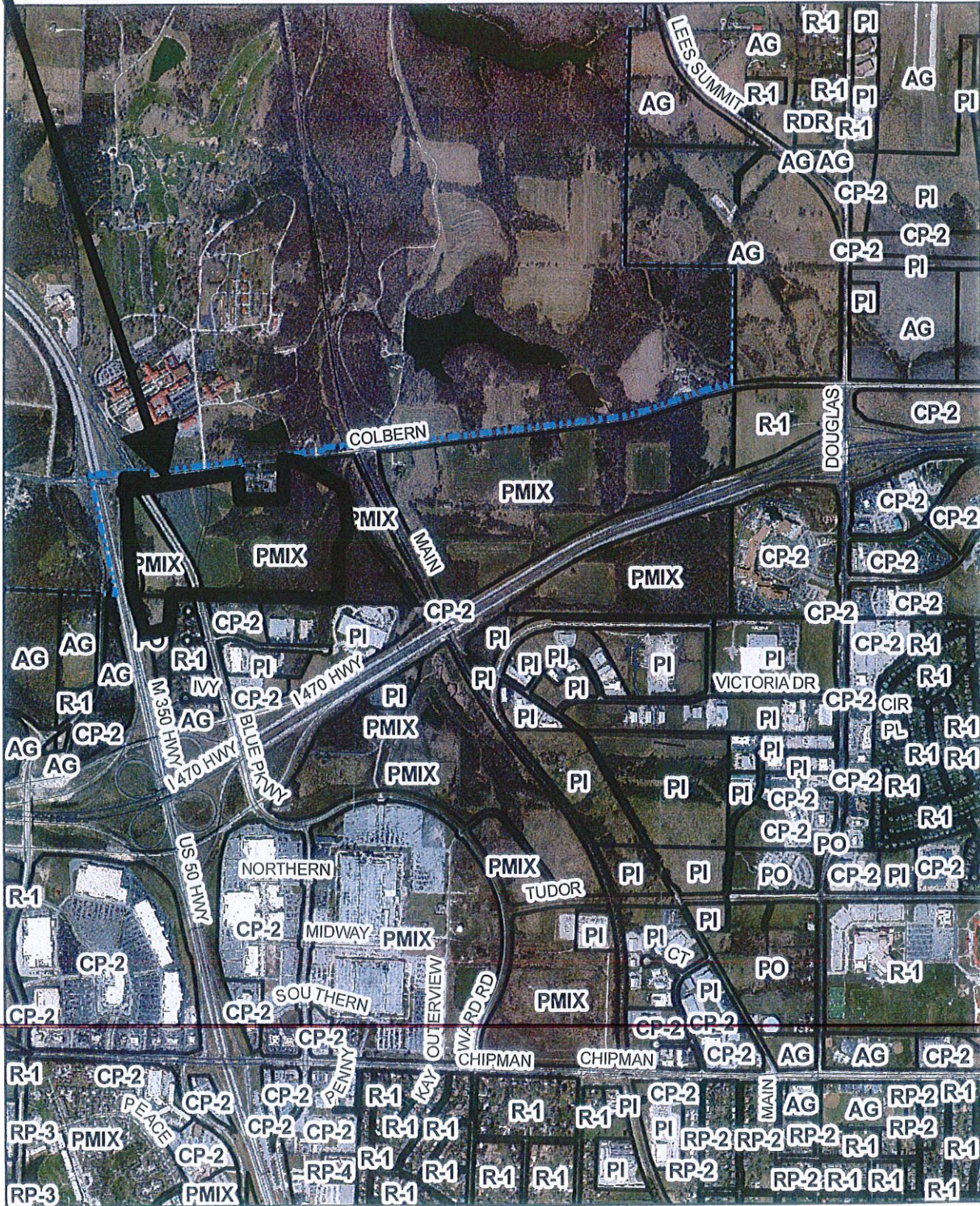
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RECEIVED

Summit Eye Center
Electrical Schematic
Fixture Cut Sheets

Summit Eye Center
Electrical Schematic
Fixture Cut Sheets

PL#2016-114 -PRELIMINARY DEVELOPMENT PLAN SUMMIT VILLAGE NEWMARK GRUBB ZIMER, APPLICANT



Packet Information

File #: BILL NO. 17-50, **Version:** 1

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM AG TO R-1 ON APPROXIMATELY 76 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF SW PRYOR RD. AND SW HOOK RD. FOR THE PROPOSED WHISPERING WOODS RESIDENTIAL SUBDIVISION, AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR WHISPERING WOODS SUBDIVISION, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM AG TO R-1 ON APPROXIMATELY 76 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF SW PRYOR RD. AND SW HOOK RD. FOR THE PROPOSED WHISPERING WOODS RESIDENTIAL SUBDIVISION, AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR WHISPERING WOODS SUBDIVISION, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

SECOND MOTION: I move for adoption of AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM AG TO R-1 ON APPROXIMATELY 76 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF SW PRYOR RD. AND SW HOOK RD. FOR THE PROPOSED WHISPERING WOODS RESIDENTIAL SUBDIVISION, AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR WHISPERING WOODS SUBDIVISION, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

BILL NO. 17-50

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM AG TO R-1 ON APPROXIMATELY 76 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF SW PRYOR RD. AND SW HOOK RD. FOR THE PROPOSED WHISPERING WOODS RESIDENTIAL SUBDIVISION, AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR WHISPERING WOODS SUBDIVISION, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #2016-219 requesting a change in zoning classification from District AG (Agricultural) to District R-1 (Single Family Residential District) on approximately 76 acres located at the Northeast corner of SW Pryor Rd. and SW Hook Rd. for the proposed Whispering Woods residential subdivision, and requesting approval of a preliminary development plan for Whispering Woods subdivision, submitted by Whispering Wood Land, LLC, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on February 14, 2017, and rendered a report to the City Council recommending that the zoning requested and the preliminary development plan be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on March 2, 2017, and rendered a decision to rezone said property and approve the preliminary development plan for said property.

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

SECTION 1. That the following described property is hereby rezoned from District AG to District R-1:

Part of the Southwest Quarter of Section 24, Township 47 North of the Baseline, Range 32 West of the Fifth Principal Meridian, Lee's Summit, Jackson County, Missouri, described as follows:

COMMENCING at the Southwest Corner of said Southwest Quarter; THENCE North 2°45'31" East on the West Line of said Southwest Quarter, 949.28 feet to the Westerly Prolongation of the North Line of Lot 1, "R-7 ELEMENTARY SCHOOL AT PRYOR ROAD, LOT 1", a Subdivision recorded in Plat Book I-67, Page 68 at the Jackson County Recorder's Office; THENCE South 87°35'27" East on said Westerly Prolongation, 50.00 feet to the East Right-of-Way Line of Pryor Road, and the POINT OF BEGINNING; THENCE North 2°45'31" East on said East Right-of-Way Line, being 50.00 feet East from, and parallel with, the West line of said Southwest Quarter, 1686.19 feet to the North Line of said Southwest Quarter; THENCE South 87°40'43" East on said North Line, 2257.77 feet to the Northwest Corner of Lot 1, "R-7 HIGH SCHOOL AT WARD ROAD, LOT 1", a Subdivision recorded in Plat Book I-67, Page 67 at the Jackson County Recorder's Office;

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THENCE South 2°42'30" West on the West Line of said Lot 1, 1319.46 feet to the South Line of the North Half of said Southwest Quarter; THENCE North 87°38'05" West on said South Line, 1319.41 feet to the Northwest Corner of a Tract described in the Warranty Deed recorded as Document No. 2016-E-0032376 in the Jackson County Recorder's Office; THENCE South 2°44'00" West on the West Line of said Tract, 369.17 feet to the Northeast Corner of said Lot 1, "R-7 ELEMENTARY SCHOOL AT PRYOR ROAD, LOT 1"; THENCE North 87°35'27" West on the North Line of said Lot 1, 939.67 feet to the POINT OF BEGINNING, containing 76.315 acres more or less. All bearings herein are referenced to the Missouri State Plane Coordinate System of 1983, West Zone.

SECTION 2. That development shall be in accordance with the preliminary development plan dated February 5, 2017 appended hereto and made a part hereof.

SECTION 3. That the following conditions of approval apply:

1. A modification shall be to the R-1 minimum rear setback requirement of 30 feet, to allow a 20-foot rear setback for Lots 129-144.
2. A total of sixty-eight (68) lots may be platted within Phase 1 and 2. However, no more than fifty (50) building permits shall be issued until such time as SW 26th Terrace is constructed between SW Pryor Rd. and SW River Run Dr. to a standard acceptable to the Fire Department, all in compliance with the Fire Code and Unified Development Ordinance regulations requiring a second point of access for developments in excess of fifty (50) single family homes.
3. Development shall be in accordance with the preliminary development plan, date stamped February 5, 2017.
4. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the required off-site sanitary sewer, and waterline improvements, and off-site transportation improvements listed in the TIA, dated February 7, 2017. No infrastructure permit shall be issued in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office. All public improvements shall be substantially complete prior to issuance of any building permit.

SECTION 4. In granting modifications listed herein, the Governing Body concludes that the development will provide sustainable value to the City, incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent through the proposed project, effectively utilize the land upon which the development is proposed, and further the goals, spirit and intent of the Unified Development Ordinance.

SECTION 5. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the

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merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

SECTION 6. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

SECTION 7. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2017.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED by the Mayor of said city this ____ day of _____, 2017.

Mayor Randall L. Rhoads

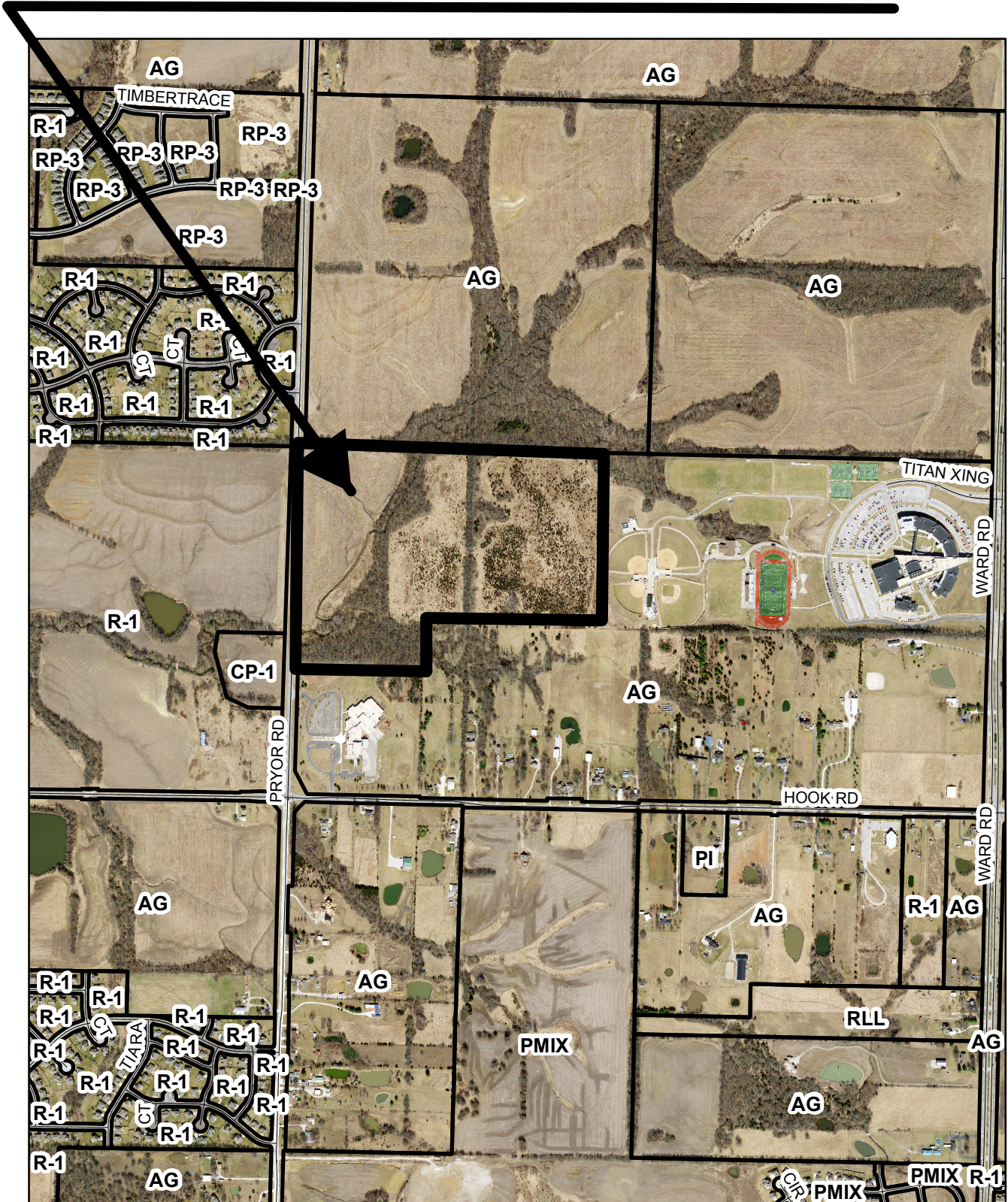
ATTEST:

City Clerk Denise R. Chisum

APPROVED AS TO FORM:

City Attorney Brian W. Head

PL#2016-219-REZONING AND PREL DEV PLAN WHISPERING WOODS, LOT 1-164 & TRACTS A-O WHISPERING WOODS LAND, LLC., APPLICANT



Packet Information

File #: BILL NO. 17-51, **Version:** 1

AN ORDINANCE APPROVING APPLICATION #PL2017-002 - AMENDMENT #60 TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO) - ARTICLE 8 ACCESSORY USES AND STRUCTURES; CITY OF LEE'S SUMMIT, APPLICANT.

COUNCIL MOTION:

First Motion: I move for second reading of AN ORDINANCE APPROVING APPLICATION PL2017-002 - AMENDMENT #60 TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO) - ARTICLE 8 ACCESSORY USES AND STRUCTURES; CITY OF LEE'S SUMMIT, APPLICANT.

Second Motion: I move for adoption of AN ORDINANCE APPROVING APPLICATION PL2017-002 - AMENDMENT #60 TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO) - ARTICLE 8 ACCESSORY USES AND STRUCTURES; CITY OF LEE'S SUMMIT, APPLICANT.

BILL NO. 17-51

AN ORDINANCE APPROVING APPLICATION #PL2017-002 – AMENDMENT #60 TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO) – ARTICLE 8 ACCESSORY USES AND STRUCTURES; CITY OF LEE'S SUMMIT, APPLICANT.

WHEREAS, the Unified Development Ordinance (UDO) was adopted by the City Council as Ordinance No. 5209 on September 6, 2001, and the UDO is incorporated into the City's Code of Ordinances through Section 33-1 of the Code; and,

WHEREAS, previous amendments to the UDO were adopted by Ordinance #5268 (commonly referred to as "Amendment #1"); Ordinance #5276 (commonly referred to as "Amendment #2"); Ordinance #5419 (commonly referred to as "Amendment #3"); Ordinance #5501 (commonly referred to as "Amendment #4"); Ordinance #5520 (commonly referred to as "Amendment #5"); Ordinance #5676 (commonly referred to as "Amendment #6"); Ordinance #5738 (commonly referred to as "Amendment #7"); Ordinance #5802 (commonly referred to as "Amendment #8"); Ordinance #5828 (commonly referred to as "Amendment #9"); Ordinance #5915 (commonly referred to as "Amendment #10"); Ordinance #5907 (commonly referred to as "Amendment #11"); Ordinance #5952 (commonly referred to as "Amendment #12"); Ordinance #6006 (commonly referred to as "Amendment #13"); Ordinance #6024 (commonly referred to as "Amendment #14"); Ordinance #6061 (commonly referred to as "Amendment #15"); Ordinance #6099 (commonly referred to as "Amendment #16"); Ordinance #6125 (commonly referred to as "Amendment #17"); Ordinance #6282 (commonly referred to as "Amendment #18"); Ordinance #6371 (commonly referred to as "Amendment #19"); Ordinance #6324 (commonly referred to as "Amendment #20"); Ordinance #6355 (commonly referred to as "Amendment #22"); Ordinance #6451 (commonly referred to as "Amendment #23"); Ordinance #6449 (commonly referred to as "Amendment #24"); Ordinance #6465 (commonly referred to as "Amendment #25"); Ordinance #6555 (commonly referred to as "Amendment #26"); Ordinance # 6590 (commonly referred to as "Amendment #27"); Ordinance #6633 (commonly referred to as "Amendment #28"); Ordinance #6668 (commonly referred to as "Amendment #29"); Ordinance #6748 (commonly referred to as "Amendment #30"); Ordinance #6733 (commonly referred to as "Amendment #31"); Ordinance #6809 (commonly referred to as "Amendment #32"); Ordinance #6796 (commonly referred to as "Amendment #33"); Ordinance #6823 (commonly referred to as "Amendment #34"); Ordinance #6912 (commonly referred to as "Amendment #35"); Ordinance #36 (commonly referred to as "Amendment #36"); Ordinance #6925 (commonly referred to as "Amendment #37"); Ordinance #6991 (commonly referred to as "Amendment #38-A"); Ordinance #6991 (commonly referred to as "Amendment #38-C"); Ordinance #7104 (commonly referred to as "Amendment #39"); Ordinance #7119 (commonly referred to as "Amendment #40"); Ordinance #Ordinance #7155 (commonly referred to as "Amendment #41"); Ordinance #7219 (commonly referred to as "Amendment #42"); Ordinance #7161 (commonly referred to as "Amendment #43"); Ordinance #7274 (commonly referred to as "Amendment #44"); Ordinance #7305 (commonly referred to as "Amendment #45"); Ordinance #46 (commonly referred to as "Amendment #46"); Ordinance #7349 (commonly referred to as Amendment #47); Ordinance #7350 (commonly referred to as Amendment #47); Ordinance #7477 (commonly referred to as Amendment #48); Ordinance #7518 (commonly referred to as Amendment #49); Ordinance #7551 (commonly referred to as Amendment #50); Ordinance #7596 (commonly referred to as Amendment #51); Ordinance #7597 (commonly referred to as Amendment #52); Ordinance #7518 (commonly referred to as Amendment #53); Ordinance #7733 (commonly referred to as Amendment #54); Ordinance #7831 (commonly referred to as Amendment #55); Ordinance #7832 (commonly referred to as Amendment #56); Ordinance #7972

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(commonly referred to as Amendment #57); Ordinance #8014 (commonly referred to as Amendment #58); Ordinance #8039 (commonly referred to as Amendment #59).

WHEREAS, the Community and Economic Development Committee considered the proposed UDO Amendment to Article 8 Accessory Uses and Structures on December 14, 2016, and authorized the amendments to be advertised for public hearings; and

WHEREAS, Application #PL2017-002, proposing amendment to Article 8 Accessory Uses and Structures of the UDO was filed; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for Application #PL2017-002 on February 14, 2017, and rendered a report to the City Council recommending that the proposed amendment to Article 8 Accessory Uses and Structures of the UDO be approved, and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on Application #PL2017-002 on March 2, 2017 and,

WHEREAS, the City Council determined that the proposed UDO amendments contained in Application #PL2017-002 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 8 of the Unified Development Ordinance, is 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 _____, 2017.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

BILL NO. 17-51

APPROVED by the Mayor of said city this _____ day of _____, 2017.

Mayor Randall L. Rhoads

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

ARTICLE 8. ACCESSORY USES AND STRUCTURES

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DIVISION I. GENERAL REQUIREMENTS FOR ACCESSORY USES AND STRUCTURES

Section 8.010. Intent, definition and interpretation

It is the intent of this Article to regard certain uses and structures as being accessory to the principal use of the premises so that they may be carried on under the umbrella of the principal use. A use or structure will be considered “accessory” when it is being used in conjunction with the principal use and is incidental and integrally related to the principal use. All accessory structures are listed in Table 8-1 with their respective requirements. Accessory structures not listed in Table 8-1 shall be submitted to the Director for consideration and interpretation. An interpretation made by the Director may be appealed through the process provided for in Article 18 of this Chapter.

Section 8.020. Relationship to principal use

- A. No accessory use or structure shall be allowed on any lot, except in the AG, Agricultural district, unless it is accessory to an existing principal use or structure on the lot on which it is to be located.
- B. Accessory structures shall not be permitted in a required front or side yard except as specifically provided in Table 8-1.
- C. Residential accessory uses shall not be rented or occupied for financial consideration, except for an accessory dwelling unit as further provided for in this Chapter. (Amend. #24)
- D. Construction of an accessory structure shall not commence until construction of the principal building has commenced.
- E. On a corner lot no accessory structure shall be located closer to the side street right-of-way line than the building setback line for the principal structure. (Amend. #38-A)
- F. When an accessory structure is attached to the principal structure by a breezeway, passageway, or similar means, or is located within 10 feet of the principal structure it shall comply with the yard requirements of the principal structure to which it is accessory.
- G. Accessory structures located in non-residential districts shall only be used by the owner, employees of the owner, or tenant of the premises.
- H. Accessory structures located in residential districts shall only be used by the owner or tenant of the principal structure located on premises except as further limited herein.

Section 8.030. Location, number and height of accessory use/structure

- A. Location and location exceptions. No accessory use or structure permitted by this Article may be located except as specifically authorized in this Article. (See Table 8-1 “Special Conditions” for location and location exceptions)

- B. Encroachments into easements or right-of-way. See City of Lee's Summit Encroachment Policy. (Amend.#58)
- C. Number. Any number of accessory structures is permitted provided that the lot coverage is not exceeded, except as further limited herein. The maximum impervious coverage for all residential uses in any district shall be 60%. (Amend. #38-A)
- D. Height requirements (See Table 8-1)

DIVISION II. PERMITTED ACCESSORY USES AND STRUCTURES

Section 8.040. AG Agricultural District – permitted accessory uses and structures

- A. All uses listed in Section 8.050
- B. A second single family dwelling, provided the primary and accessory dwellings are on the same parcel of land under single ownership and the parcel contains a minimum of ten (10) acres.
- C. Loft dwelling above detached garage, barn or other such storage structure, provided:
 - 1. Additional parking is provided on site to accommodate the separate dwelling unit, other than the driveway for the principal structure; and
 - 2. Building codes can be met as they relate to the separation requirements between the structure and residential living unit
 - 3. 1 loft dwelling unit may be established above each structure listed above not to exceed 3 such loft dwelling units.
- D. Accessory dwelling units may also be laterally attached to accessory structures provided:
 - 1. Additional parking is provided on site to accommodate the separate dwelling unit, other than the driveway for the principal structure; and
 - 2. Building codes can be met as they relate to the separation requirements between the structure and residential living unit
 - 3. 1 accessory dwelling unit may be laterally attached to each structure listed above not to exceed 3 such attached dwelling units.
- E. Irrigation equipment used to water crops, such as a pump, pump housing, piping and compressor used to transfer and distribute water
- F. Kennel. A commercial kennel with outside runs shall be located not less than two hundred (200) feet from residentially zoned property
- G. Livestock pasturing
 - 1. Minimum parcel size – 10 acres
 - 2. Minimum parcel size per animal – 5,000 square feet fenced area
- H. Paved, gravel or grass storage areas for operational equipment and materials for any agricultural operation

- I. Repair shop, windmill, shed, garage, barn, silo, windmill, bunk house or any incidental structure commonly required to serve the principal use
- J. Roadside stand not exceeding two hundred (200) square feet offering for sale only products produced on the premises
- K. Stable.
 - 1. Minimum Lot Area: 10 Acres
 - 2. Setbacks (Minimum):
 - a. Front Yard – 100 feet
 - b. Side Yard/Rear Yard – 30 feet
 - c. From residentially zoned property – 200 feet
 - 3. Maximum of one horse, pony or mule per acre shall be kept.
 - 4. All premises where stables or animals are kept shall be in compliance with all applicable state, county and city sanitary and health regulations.
- L. Wells (not including oil or gas), ponds or lakes.

Section 8.050. Residential Districts – Permitted accessory uses and structures

The following accessory uses and structures are permitted in residential zoning districts including, RDR, RLL, R-1, RP-1, RP-2, RP-3, RP-4, and TNZ.

- A. “Day care home” is a permitted accessory use to a principal residential use. “Day care home” is defined as a family home in which a day care provider resides and provides family-like care for 1 to 4 persons not related to the day care provider, for any part of the twenty-four (24) hour day, without overnight stays. The residential accessory use does not include “day care, group,” with 5-10 persons, which requires a special use permit in certain residential districts and is a permitted use in certain commercial districts. (See Definitions in Article 2 and Permitted and Special Uses in Article 5.)
- B. Deck, porch, gazebo, arbor, and patio
 - 1. Decks are limited to the side and rear yard.
 - 2. Uncovered front porches may be constructed of materials listed in (4) below provided the walking surface does not exceed a height of 30 inches measured from ground level and provided it does not encroach into the required front yard by more than 5 feet.
 - 3. Covered front porches may be constructed of materials listed in (4) below provided they do not encroach into the required front yard and provided the supporting structure underneath the walking surface is totally screened or enclosed by like materials or landscaping, not to include lattice.
 - 4. Uncovered front porches not encroaching into the required front yard may be constructed of wood, composite materials, wrought iron, metal or masonry.
 - 5. Uncovered attached decks, associated with detached single-family and 2-Family laterally attached homes may encroach into a required rear yard by 5 feet. Attached decks on all other

6. Gazebos may be attached to decks but must follow the setback requirements and not exceed the height of the principal structure
 7. Arbors may be located in front, side and rear yards as decorative yard features provided no visual impairment to sight distance triangles, as defined in Article 7, is created
 8. Concrete at-grade patios may extend to the property line provided that storm water runoff/discharge is not directed onto adjacent property creating a nuisance
- C. Fence or wall.
- a. Fence materials: Only wood, vinyl, steel, masonry or wrought iron materials may be used for residential fence construction.
 2. A fence or wall may be constructed to a maximum height of six (6) feet above the average grade without a permit being required.
 - a. If a fence or wall exceeds six (6) feet in height, a building permit for a fence shall be obtained from the Building Official.
 - b. A building permit for a fence shall be required for the replacement or reconstruction of fifty percent (50%) or more of the entire linear length of an existing fence that exceeds six (6) feet in height.
 - c. A fence or wall exceeding six (6) feet in height (including a retaining wall) that is required as part of a Preliminary Development Plan shall have Final Development Plan approval prior to the issuance of any fence permit.
 3. A retaining wall may be permitted where it is reasonably necessary due to the changes in slope on the site, where the wall is located at least two (2) feet from any street right-of-way, and where the wall does not extend more than six (6) inches above the ground level of the land being retained unless the building code requires a guardrail for safety purposes. (See also the city's encroachment policy for additional restrictions.)
 4. A fence or wall constructed prior to the adoption of this Chapter that does not meet the standards of this Article, but which met previous codes of the city when originally constructed, may be replaced and maintained resulting in a fence of the same size, type and material. However, no fence shall be replaced or reconstructed in a manner that obstructs the sight triangles as defined in Article 7 of this Chapter.
 5. In residential districts, the following restrictions and standards shall apply to all fences and walls (See also Table 8-1):
 - a. Front yard.

A decorative wall, or fence consisting of slats with a minimum of 2 inch spacing not exceeding four (4) feet in height may be constructed in a front yard and extend to the property line provided no sight distance triangle is compromised.
 - b. Rear yard.

A fence or wall up to six (6) feet in height may be constructed on the rear property line, subject to further restrictions of the city's encroachment policy.
 - c. Side yard.

A fence or wall may be constructed on the side property line provided that:

- a fence or wall over four (4.0) feet in height shall not extend beyond the face of the house on the lot on which the house is located.
 - a fence or wall up to four (4.0) feet or less in height may extend to the front property line, provided it does not obstruct the sight triangle and provided the fence materials meet the same requirements of (a) above for fences or walls extending into the front yard.
6. Subdivision fence, wall, entry monument/feature.
 - a. Entry monument signs shall be governed by Article 13 of this Chapter. A sign permit shall be obtained prior to installation of any sign.
 - b. Entry features such as decorative fences, walls, water features, and structures, that span the city right-of-way, and guard house/gatehouse are allowed provided they receive a license agreement and approval from the Governing Body.
 7. Design standards.
 - a. A fence or wall shall be constructed with a finished side facing outward from the property. The posts and support beams shall be on the inside or shall be designed as an integral part of the finished surface.
 - b. All fence segments abutting an arterial or collector street, except on corner lots, shall provide one gate opening per lot to allow access to the area between the fence and the edge of the street for maintenance and mowing.
 8. See the city's encroachment policy for additional restrictions on location of fences, walls, retaining walls, or other structures or features.
- D. Flag pole
- E. Garage, carport or shed
1. For any one-family or two-family dwelling, there shall be permitted one detached garage or storage building/shed. An attached garage or carport shall be subject to the same required setbacks as the main structure, unless access is from an alley. In this case the setback is the same as a detached garage or shed. A detached garage or shed shall be subject to the setbacks required for detached accessory buildings. (See Table 8-1 for required setbacks, height/size limitations, and special conditions.) (Amend. #38-C)
 2. Carports may be attached to a detached garage or shed provided the carport does not exceed the size of the detached garage or shed.
 3. For any multi-family residential development, a detached garage or storage shed shall be subject to the setbacks required for detached accessory buildings.
 4. In all residential districts, the design and construction of any detached garage, carport (when approved as part of a PDP) or storage building/shed, larger than 120 square feet, (Amend. #3) shall be similar to or compatible with the design and construction of the main building. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
 5. For any permitted non-residential use in a residential district (such as a church or school), a detached garage or storage shed shall be permitted provided the design and

construction is compatible with the main building and the residential district requirements are not exceeded in the particular district in which located.

- F. Garden
- G. Gatehouse/guardhouse at entrance to a subdivision or multi-family development. (See subdivision fence, wall, entry monument/feature above.)
- H. Greenhouse, non-commercial
- I. Guesthouse
- J. Hobby shop - A hobby shop may be operated as an accessory use by the occupant of a residential unit purely for personal enjoyment, amusement or recreation; provided that, the articles produced or constructed are not sold on the premises and provided that, such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes.
- K. Home occupation (See Section 8.100)
- L. Horse pasturing, non-commercial – Horses may be pastured in RDR, RLL and R-1 Districts provided the following conditions are met:
 - 1. Minimum lot size: 1 acre
 - 2. Setbacks: None, except if a small structure is to be used in conjunction with the pasturing for providing shelter in inclement weather, then the structure shall be set back from all property lines a minimum of 30 feet
 - 3. Accessory structure shall not exceed 250 square feet per acre not to exceed 1,000 square feet, or the height of the principal dwelling
 - 4. Maximum of 1 horse per acre
 - 5. Horse pasturing is not to be used for commercial gain and is only to be used for the pleasure of the owner or current occupants of the principal dwelling located on the same lot
- M. Loft dwelling unit above detached garage - A single loft dwelling unit above a detached garage is permitted as an accessory use to a permitted single family residential use in all “R” districts, except in R-1 districts within the “Old Lee’s Summit” area as described in the Downtown Master Plan (see Article 10 Special Use Permits), provided: (Amend. #24)
 - 1. Additional parking is provided on site to accommodate the separate dwelling unit, other than the driveway for the principal structure; and
 - 2. Building codes can be met as they relate to the separation requirements between the garage and residential living unit; and
 - 3. Loft dwelling units to be located within R-1 single family zoning districts shall only be permitted on lots equal to 15,000 square feet or larger.
- N. Play house and play equipment including a jungle gym, skate board/bicycle ramp, swing set and similar structures.
- O. Recreational facility, non-commercial (outdoor), except as provided in Article 10, Special Use Permits. A non-commercial recreational facility is any outdoor playground, facility, baseball field, softball field, or any other outdoor non-commercial recreational use, which is an accessory use to a single-family residential use, a single-family residential subdivision, a

medium- or high-density residential development, or a church, , and which meets the following conditions:

1. It shall not be lighted for night use.
 2. It shall not be utilized for intensive play for leagues, tournaments or used by teams outside the subdivision, apartment development, church or other principal use to which the facility is accessory.
 3. No permanent or temporary spectator seating shall be provided.
 4. The following setbacks from adjoining residentially zoned or used property shall apply:
 - a. Playgrounds for day care services for more than ten children shall be set back at least twenty (20) feet.
 - b. Courts and fields for one- or two-person teams (e.g., tennis courts) shall be set back at least fifty (50) feet. Courts and fields for three-or-more-person teams shall be set back at least one hundred (100) feet.
 - c. A fence more than six (6) feet in height shall be set back from such boundaries a distance equal to the height of the fence.
 - d. A batting cage shall only be located on a minimum lot size of one (1) acre provided it is located no closer than 50 feet to any other residential structure.
 5. The minimum lot area for an outdoor recreational facility for three-or more-person teams, including baseball and softball fields, shall be a minimum of one (1) acre.
 6. Backstops or other fencing shall be provided if needed to prevent encroachment of balls or other activities onto adjacent property.
 7. The design and layout of the recreational facility on the property shall be such that it minimizes sound and light at the property line.
 8. Access to the recreational facilities and to the property on which the recreational facility is located shall be designed to minimize the adverse impact on residential properties.
 9. Landscaping, berming, or fencing shall be provided if needed to minimize adverse effects.
- P. Satellite dish antennae not exceeding 1 meter in diameter and attached to the principal structure
- Q. Signs per Article 13 of this Chapter
- R. Solar collector (See Sec. 8.150)
- S. Sport court (same as tennis court)
- T. Swimming pool, private
- U. Swimming pool, subdivision (See "Article 9" for conditions)
- V. Tennis court

**Section 8.060. Commercial and Industrial Districts –
Permitted accessory uses and structures**

- A. Dwelling unit for security, management or maintenance personnel

B. Fences and walls

1. Location: Fences and walls may be constructed on any side or rear property line but shall not be located in any required front yard setback or be closer to any public or private street than the required setback for a building. (See also the city encroachment policy for additional restrictions.)
2. Fence materials may include those listed for residential uses as well as chain link. However, chain link fences shall not be used for screening purposes as slats are prohibited. Chain link may only be used for screening purposes when used in combination with evergreen trees or shrubs, planted on the outside of the fence, providing an opaque screen that satisfies the screening requirements in Article 14 of this Chapter.

C. Flag poles

D. Food service and vending machines for tenants or employees

E. Gate house

F. Garden center. A garden center as an accessory use to a commercial center shall be fully contained within a screened -portion of the primary structure.

G. Outdoor patios/decks. The following outdoor patios/decks shall be allowed as accessory uses with the conditions stated (Amend. #52):

1. Strip Centers/In-Line Tenant Space

- a. Outdoor patios/decks shall be set back a minimum of 100 linear feet from a residential district.
- b. Outdoor patios/decks adjacent to a residential district shall:
 - 1) Provide a screened masonry wall from 8 to 10 feet in height around the patio/deck sides facing the residential district for the purpose of establishing a visual screen and block noise emanating from the patio area to the residential district. The wall height shall be sufficient to obscure the sight to the outdoor patio/deck from any adjacent residential dwelling's viewing station including patio, deck or window.
 - 2) Outdoor patios/decks that cannot meet the screening requirement of (a) above are prohibited unless approved by the City Council.

Exception: When located within a development with a perimeter fence screen that provides the visual obscurity required in (1) above, then a 6 foot height masonry screen wall shall be utilized for noise control.

2. Standalone/Pad Site

- a. Outdoor patios/decks associated with standalone and pad site businesses shall:
 - 1) Provide a minimum setback of 100 feet to any residential district.
 - 2) Provide 4 foot high security fencing around the patio/deck area when no residential adjacent property exists.
 - 3) Provide a screened masonry wall from 8 to 10 feet in height around the patio/deck sides when adjacent to residential.
 - 4) Provide noise control as further established below.

- b. Outdoor patios/decks located in front of businesses on a sidewalk shall:
 - 1) Provide 4 foot security fencing around the patio/deck perimeter.
 - 2) Provide noise control as further established below.
- 3. Noise Control for Both In-Line and Standalone Businesses shall be established per City Code.
- H. Parking and loading areas
- I. Private/public parking structure
- J. Satellite dish antennae
- K. Signs per Article 13 of this Chapter
- L. Solar collector (See Sec.8.150)
- M. Storage lot for vehicles engaged in the business - per approved development plan or special use permit
- N. Swimming pool, private. An indoor or outdoor swimming pool shall be allowed as an accessory structure/use to the following uses provided the district setbacks can be met:
 - 1. Fitness centers
 - 2. Motels/hotels
 - 3. Multi-family dwellings, garden apartment buildings/complexes
 - 4. Clubs and organizations such as a YMCA

Section 8.070. Commercial and Industrial facilities – Permitted accessory uses

The following are accessory uses inside commercial and industrial facilities 60,000 sq. ft. or larger provided that not more than twenty-five (25%) percent of the facility may be occupied by such accessory use or uses:

- A. Barber shops and hair salons
- B. Banks and financial institutions
- C. Blue printing, graphics and Photostatting services
- D. Business equipment, marketing display and repair
- E. Child care services
- F. Dry cleaning and laundry pickup and delivery
- G. Florist
- H. Gift shop
- I. Newsstand
- J. Optometrist and customary eye wear sales and service
- K. Pharmacy/drug store
- L. Restaurant/cafeteria

M. Vending machines

Section 8.080. Accessory uses permitted by interpretation

Uses other than those listed herein may be determined to be accessory uses in any district based upon interpretation by the Director.

DIVISION III. SPECIALTY ACCESSORY USES

Section 8.090. Accessory use in religious, educational and community buildings

Child care center, pre-school, Mother's Day Out and similar programs shall be permitted as an accessory use in religious, educational and community buildings.

Section 8.100. Home occupation – accessory use in residential dwelling

Home occupations shall be permitted as an accessory use in residential dwellings in any district subject to the following provisions:

A. Purpose and intent.

It is the purpose and intent of these requirements to:

1. Maintain neighborhood integrity and preserve the residential character of neighborhoods by encouraging compatible land uses;
2. Provide residents of the City with an option to utilize their residences as places to enhance or fulfill personal economic goals as long as the choice of home occupations does not infringe on the residential rights of neighbors;
3. Establish criteria for operating home occupations in dwelling units; and
4. Ensure that public and private services such as streets, sewers, water or utility systems are not burdened by home occupations to the extent that usage significantly exceeds that which is normally associated with a residence.

B. General Provisions.

Home occupations shall be permitted as accessory uses within principal residential dwellings in any district provided they meet the following conditions and all requirements of the district in which located:

1. The home occupation must be clearly incidental and secondary to the primary residential use of the dwelling;
2. The home occupation must not change the outside appearance of the dwelling.
3. Exterior signage for a home occupation is prohibited;
4. The home occupation must not generate traffic, parking, sewerage or water use in excess of what is normal or customary in a residential neighborhood;

5. The home occupation shall not create a hazard to person or property, result in electrical interference, or become a nuisance in the neighborhood;
6. No outside storage of any kind related to the home occupation shall be permitted;
7. No persons other than self or family members residing on the premises, plus one additional person not residing on the premises, shall be employed or involved in any business activity related to the home occupation on the premises;
8. No more than 25% of the gross floor area of the dwelling unit shall be used for the operation of the home occupation. No accessory buildings shall be used in conjunction with a home occupation;
9. Deliveries of materials to and from the premises in conjunction with the home occupation shall not require the use of vehicles other than parcel post or similar parcel service vehicles;
10. Noise, vibration, smoke, odors, heat or glare as a result of a home occupation, which would exceed that normally produced by a single residence, shall not be permitted;
11. The home occupation shall not utilize more than one private commercial vehicle limited to 1 ton capacity. The vehicle shall be capable of being parked or stored inside the garage and shall be required to be kept in said garage when not in use for the home occupation (Amend. #13);
12. Retail sales on the premises shall be secondary to the major operation of the home occupation;
13. The primary use of the building in which the home occupation is situated shall clearly be the dwelling used by the person as his/her private residence;
14. Home occupations shall maintain required licenses mandated by applicable local, state and/or federal laws;
15. Persons intending to operate a home occupation should notify the HOA, Home Owners Association, of their intent prior to beginning operations. Said notification is to provide the HOA with notice of intent only.

C. Permitted home occupations.

Home occupations shall be approved by the Director upon his/her determination that the requirements of this ordinance can be satisfied. In the event a home occupation is denied by the Director, the reasons for the denial shall be given to the applicant in writing. Such decision for denial may be appealed to the City Council within 14 days of the date on the letter from the Director.

D. Prohibited home occupations. The following uses by the nature of the investment or operation have a tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the following uses shall be specifically prohibited as home occupations, except as further indicated below. (Amend. #16)

1. Sales to the public on the premises not secondary thereto;
2. Equipment rental;
3. Automobile and other motor vehicle repair services and/or sales;

4. Radio, television and similar electronic devices, small appliances and small engine repair services;
 5. Physicians, dentists;
 6. Chiropractor, except when located within a home on a lot that is a minimum of one acre in size and where access to a collector street from the residential driveway is no greater distance than one lot depth or 250 feet whichever is less. (Amend. #9)
 7. Upholstery and furniture making;
 8. Horse pasturing (does not include the accessory use of same)
 9. Pet grooming, except when: (Amend. #17)
 - a. Only one (1) animal is groomed or kept on the premises at a time, except for pets owned by the groomer; and
 - b. Only one person shall perform grooming services on the premises; and
 - c. All grooming activities shall be by appointment only; and
 - d. No animal runs, kennels or cages shall be kept on the premises in conjunction with the grooming business except for portable kennels necessary to transport the animal to and from the grooming appointment; and
 - e. No more than five (5) animals shall be groomed per day.
 10. Animal grooming (except as provided in 8 above) (Amend. #17), boarding, and/or related services;
 11. Uses requiring storage or use of highly flammable, toxic or other hazardous materials;
 12. Printing and/or typesetting services;
 13. Photographic studio, where photographs are taken on the premises, except when located within a home on a lot that is a minimum of one acre in size and where access to a collector street from the residential driveway is no greater distance than one lot depth or 250 feet whichever is less. (Amend. #9)
 14. Massage therapy, (to be conducted in the Licensed Massage Therapist's home) unless specifically approved as a Special Use under Article 10 of this Chapter. (Amend. #16)
- E. Any proposed home occupation not specifically prohibited in this Section may be permitted provided that all conditions listed above are observed.

Section 8.110. Hospital – related accessory uses

The following uses are accessory uses within a hospital when located within the main hospital building and designed to serve hospital personnel, visitors or patients: residential quarters for staff and employees; nursing or convalescent quarters; storage and utility buildings; food service and vending machines; laundry and dry cleaning pickup and delivery; and flower and gift shops.

Heliports shall be allowed as an accessory use at a regional hospital, provided the following conditions are met:

- A. A heliport plan is submitted to the Director which includes all approach and departure paths as necessary to assure safe and adequate landing and take-off area and shall be

supplemented by a favorable report by the local airport district office of the Federal Aviation Administration (FAA).

- B. Adequate safety provisions shall be provided and indicated by plans that control or restrict access to the landing and take-off areas by the general public.
- C. Landing and take-off areas shall be surfaced in such a manner as to avoid dust or dirt from blowing onto neighboring property.

Section 8.120. Hotel and motel – related accessory uses

The following uses are accessory uses within a hotel or motel provided the use is located within the main hotel building and designed to serve the occupants and patrons of the hotel or motel: restaurants; clubs; drinking establishments; banquet rooms; package sales of alcoholic liquor or cereal malt beverages; sales of notions; newsstands; vending machines; barber shops and hair salons; arcades; and flower and gift shops.

Section 8.130. Kennel – accessory use to veterinarian

Kennels for small animals shall be subject to the following conditions:

- A. A kennel with outside runs as an accessory use to a veterinarian shall be located at least one hundred (100) feet from any property zoned or used for residential purposes.

Section 8.140. Outdoor storage in PI industrial districts – accessory use (Amend. #34)

In PI industrial districts, outside storage is restricted to new products manufactured or assembled on site or such materials that are used in conduct of the business and which shall meet the following conditions:

- A. The outside storage is to be located on land owned by, leased by, or under the control of the users.
- B. Outside storage shall be restricted to side or rear yards not within required yards and shall be screened from view of neighboring properties.
- C. Outside storage areas are to be properly screened by means of a solid, sight-obscuring fence, not less than six (6) feet in height. A living screen may be substituted for the fence providing said screen shall provide a solid screen at planting. Fences used as screening directly adjacent to land zoned residential shall incorporate planted buffers as required in Article 14.
- D. All storage areas and access drives shall be paved.
- E. Outside storage of inoperative vehicles or equipment shall not exceed 72 hours. (Amend #6)

Section 8.150. Solar collectors – accessory use

Solar collectors are permitted accessory uses, provided that the following performance standards are met:

- A. Roof-mounted solar collector components servicing the collector panel shall be concealed and all exposed metal shall be finished with similar colors to the structure on which it is mounted.
- B. Roof-mounted solar collectors located on front or side building roofs, which are visible from the public right-of-way, shall not extend above the peak of the roof plane on which they are mounted, and no portion of the solar collector shall extend more than twenty four (24) inches perpendicular to the point on the roof where it is mounted;
- C. Roof-mounted solar collectors located on the rear side of building roofs shall not extend above the peak of the roof plane on which they are mounted, and no portion of the solar collector shall extend more than four (4) feet perpendicular to the point on the roof where it is mounted;
- D. Ground-mounted solar collectors shall not exceed eight (8) feet in total height and shall be located within the rear yard at least twelve (12) feet inside the property line and
- E. All lines serving a ground-mounted solar collector shall be located underground.

Section 8.160. Tattoo/permanent cosmetic services/body piercing services as accessory use to primary use in district Planned Office (PO) (Amend. #60)

Tattoo/permanent cosmetic services/body piercing services are restricted as an accessory use business located in a Planned Office, PO, zoning district as follows:

- 1. The accessory use business shall only be provided by the licensed professional as business owner of the primary business; and
- 2. The primary business shall be associated with an artist studio engaged in the application, teaching, or production of fine arts such as drawing, painting, and sculpture or in film editing and screenwriting and similar uses associated with the fine arts; and
- 3. Services shall be provided by appointment only and shall not become the primary business; and
- 4. Signage shall be prohibited except for a logo, telephone number and email address.

DIVISION IV. PERMITTED TEMPORARY ACCESSORY USES

Section 8.170. Permitted temporary accessory uses

The following uses are temporary accessory uses in any district unless further limited herein:

- 1. Construction/sales office on site of a construction project provided such trailer is removed upon completion of the project. In residential districts, the construction trailer must be removed upon completion the of the first residential dwelling unit for the subdivision or project or, in the case of a subdivision or project for which approval has been given for phased development, for the first dwelling unit for that phase.
- 2. Portable storage containers – 14 days duration limitation (See also Article VII, Chapter 16 of the Code of Ordinances)

3. Roll-off trash container during construction – limited to 30 day duration and may be allowed up to three nonconsecutive times in a one year period. (See also Article VII, Chapter 16 of the Code of Ordinances)
4. A temporary recycling collection facility sponsored by a business, school, church, or non-profit community group shall be allowed as an accessory use, provided the following restrictions and conditions are met:
 - a. Containers are located on business, church, school or non-profit community group grounds;
 - b. Activity is at least one hundred (100) feet from any adjacent property zoned or used for residential purposes; and
 - c. The temporary facility is maintained in a clean, litter-free condition on a daily basis.
5. Sales office in a new residential subdivision model home
6. Sales trailer within a residential subdivision on a vacant lot provided that: (Amend. #39)
 - a. A sales trailer within a new residential subdivision or developing residential subdivision shall only be placed after a building permit for a model home has been issued and construction has commenced. Use of the temporary sales trailer shall cease upon the model home receiving a temporary certificate of occupancy.
 - b. A sales trailer within a developing residential subdivision may utilize any vacant lot but only when a newly constructed home is not available for use as a model home/sales office and subject to compliance with “a.” above.
 - c. When used in this section the term “residential subdivision” means a single plat or multiple plats comprising a residential community or residential development. A residential subdivision shall be considered a developing residential subdivision if the remaining vacant lots constitute ten percent (10%) or more of the entire residential community or residential development. (Amend. #39)
7. Signs per Article 13 of this Chapter
8. Re-locatable classrooms/trailers are permitted as a temporary accessory use to schools and churches in any zoning district except when occupying a tenant space in an office or commercial building or complex or within a storefront or retail shopping center. (Amend. #39)

DIVISION V. PROHIBITED ACCESSORY USES AND STRUCTURES

Section 8.180. Prohibited accessory uses and structures

The following accessory uses and structures are specifically prohibited:

1. Automotive repair in residential districts except for personal vehicles being repaired inside a garage
2. Hog lots
3. Livestock commercial feed lots

4. Detached carports except when specifically approved as part of a preliminary development plan for a multi-family development
5. Outdoor vending machines, except for:
 - a. Certain outdoor vending machines that are accessory to financial institutions, such as ATM's, self service car wash business dispensers offering such items as cleaners, waxes and towels for vehicle washing and similar accessory uses and structures approved by the Director. Such accessory vending machines shall be attached to or built into exterior walls of the commercial business or integrated into a drive island, and
 - b. Mobile food vending regulated in Article 11 of this Chapter.

Note: Retail sales of products being displayed outdoors, provided such products are being sold within the commercial building where the products are being displayed shall not constitute an accessory use or structure. Said outdoor product display shall be located immediately adjacent to the wall of the building or within 20 feet of such wall, or in the case of a C-Store adjacent to the pump island, except for seasonal sales regulated by Article 11.

(Amend. #58)

Table 8-1. Accessory Structures				
Accessory Structure	Permitted Zoning Districts	Required Setbacks	Height	Size Limitations and Other Special Conditions Note: See Section 8.030.B for easement and right-of-way encroachments
Arbor	Residential (including AG, RDR and RLL)	None	10 feet	Not to impair sight triangle.
Carport – Attached to principal structure	Residential (including AG, RDR and RLL)	Same as zoning district for principal structure	Not to exceed height of structure to which attached	Maximum Size: 250 square feet, not to exceed structure to which attached
Carport – attached to detached garage or shed	Residential (including AG, RDR and RLL)	Same as detached accessory structure	Not to exceed height of structure to which attached	Maximum Size: 250 square feet, not to exceed structure to which attached
Concrete at grade patios (not to include sport courts)	Residential (including AG, RDR and RLL)	None – provided storm water runoff is not directed toward the adjacent property	NA	Storm water runoff shall be controlled in a manner that does not cause a nuisance to the adjacent property or create a ponding situation.
Construction Office/Trailer - Temporary	All	Per Administrative Approved Plot Plan	N/A	In residential district, valid for 6 months beyond completion of public improvements In non-residential districts, valid through issuance of certificate of occupancy.
Gazebo (Detached)	Residential (including AG, RDR and RLL)	Front: Prohibited Side: 10 feet Rear: 10 feet	15 feet	
Deck (Detached) • Covered • Uncovered	All	Front: Prohibited Side: 10 feet Rear 10 feet	15 feet 6 feet	Measured to the highest point of structure, i.e., roof peak, hand rail etc.
Deck and Gazebo (Attached)	Residential (including AG, RDR and RLL)	Front & Side: Same as principal structure in district. Rear yard – 25 feet in R-1; same as principal structure in other districts	15 feet (measured from deck floor, not to exceed height of structure to which attached)	

Table 8-1. Accessory Structures				
Accessory Structure	Permitted Zoning Districts	Required Setbacks	Height	Size Limitations and Other Special Conditions Note: See Section 8.030.B for easement and right-of-way encroachments
Dwelling, Secondary	AG	Same as required setback for principal structure in district.	Same as maximum height permitted for principal dwelling	Minimum of 10 acres, and dwellings must remain in single ownership on the 10 acres.
Dwelling unit for security, management or maintenance personnel	PO, CP-1, CP-2, CS, PI (Amend. #34)	Same as principal structure in district.	Same as principal structure in district	Dwelling unit must be located within a building associated with the development.
Fence or Wall – Perimeter Residential	R-1, RP-1 and RP-2, RP-3, RP-4 and TNZ	Front: 0 feet for fences not exceeding 4 feet in height 6 foot privacy fences on corner lots may only encroach into the required front yard by 15 feet. Side: 0 feet Rear: 0 feet	Residential: 4 feet front yard 6 feet side and rear yard	Residential fencing materials: Front yard: Wood, vinyl, steel, composite, masonry, or wrought iron Side and Rear yard: all the above plus chain link Front yard (except corner lots) – 4 foot height fencing requires using a fence consisting of slats with a minimum of 2 inch spacing or spacing equal to the width of the individual slats whichever is greater
Fence or Wall – Decorative Residential	R-1, RP-1 and RP-2, RP-3, RP-4 and TNZ	0 feet	4.0 feet	All fence or walls shall be located out of the sight triangle;
Fence or Wall				A fence or wall shall be constructed with a finished side facing outward from the property.
Fence or Wall – Other	CP-1, CP-2, CS and PI	0 feet	8 feet	
Fence – Tennis Court	All	Front: Prohibited Side: 10 feet Rear: 10 feet	12 feet	
Flag Pole	All	Front: 10 feet Side: 10 feet Rear: 10 feet	25 feet	
Garage in AG – Detached (Amend. #38-C)	AG	Front: Prohibited Side: 35 feet Rear: 35 feet	40 feet (maximum height in district)	No limitation on size in AG.

Table 8-1. Accessory Structures

Accessory Structure	Permitted Zoning Districts	Required Setbacks	Height	Size Limitations and Other Special Conditions Note: See Section 8.030.B for easement and right-of-way encroachments
Garage – Detached	All Residential districts (including RDR and RLL, but excluding AG)	Front: No closer than principal structure Side: 10 feet Rear: 10 feet (4 feet for alley access); 30 feet for detached garage with loft residential dwelling unit	25 feet (not to exceed height of principal structure on property)	Detached garage shall not exceed 250 square feet for each 5,000 square feet of lot area, with a maximum of 1,000 square feet for lots less than 4 acres, and a maximum of 2,000 square feet for lots of 4 acres or more. Only one garage structure is permitted. Design and construction shall be as set forth in Section 8.050.E. (Amend. #38-C)
Garage – Attached	All Residential districts (including AG, RDR and RLL)	Same as a principal structure in district	Same as a principal structure in district	
Gatehouse/Guardhouse for subdivisions or multi-family projects	Residential	Per approved development plan or plat	Same as a principal structure in district	
Greenhouse – non-commercial (Amend. #37)	AG, RDR and RLL	Front: Prohibited Side: 10 feet Rear: 10 feet	40 feet (maximum height in district)	No limitation on size
Greenhouse – non-commercial (Amend. #37)	Residential (not including AG, RDR and RLL)	Front: Prohibited Side: 10 feet Rear: 10 feet	15 feet	Maximum size: 250 square feet. Greenhouses greater than 250 square feet require Special Use Permit.
Guesthouse	AG, RDR, RLL, and R-1	Same as a principal structure in district	Same as a principal structure in district	Minimum 1 acre lot size. Ownership must be in the same name as the principal use.
Hobby Shop	Residential (including AG, RDR and RLL)	Front: Prohibited Side: 10 feet Rear: 10 feet	15 feet	Maximum size 250 square feet. Combined structures not to exceed district lot coverage
Hot Tub or Jacuzzi	All	Front: Prohibited Side: 10 feet Rear: 10 feet	N/A	If located on a deck, setbacks for deck shall apply
Kennel, commercial	AG	Front: Prohibited Side: 200 feet	8 feet	Side and rear setbacks apply only from residentially zoned property (R-1 through RP-4)

Table 8-1. Accessory Structures				
Accessory Structure	Permitted Zoning Districts	Required Setbacks	Height	Size Limitations and Other Special Conditions Note: See Section 8.030.B for easement and right-of-way encroachments
		Rear: 200 feet		
Livestock – Building (barns and/or stables)	AG	100 feet	N/A	See Table 5-2 for use limitations
Loft Dwelling Unit above detached garage	All Residential (RDR, RLL, R-1, RP-1, RP-2, RP-3, RP-4), except for R-1 located within “Old Lee’s Summit” as described in the Downtown Master Plan (Amend. #24) (Amend. #48)	Front: Prohibited Side: 10 feet or same as a principal structure in district, whichever is greater Rear: 30 feet, or same as principal structure in district, whichever is greater	Same as principal structure in district	Size limitations and alley access setbacks shall be the same as a “Garage – Detached” per this Table. A loft unit above a detached garage in an R-1 District within the “Old Lee’s Summit” area as defined by the Downtown Master Plan shall only be permitted with a Special Use Permit (See Article 10). In R-1 District a minimum lot size of 15,000 sq. ft. must be provided. (Amend. #24)
Loft Dwelling Unit above detached garage, barn or other such storage structure	AG	N/A	N/A	Additional parking other than the driveway for the principal structure. Building Codes can be met. 1 loft dwelling unit may be established above each structure not to exceed 3 such loft dwelling units
Laterally attached accessory dwelling units attached to accessory structures	AG	Same as accessory structures	N/A	Additional parking other than the driveway for the principal structure. Building codes can be met. 1 accessory dwelling unit laterally attached to each structure not to exceed 3 such laterally attached dwelling units.
Outdoor patios/decks	PO, CP-1, CP-2, CBD, CS, PI	100 linear feet to adjacent residential district	NA	See Section 8.060.G. for conditions relating to outdoor patios and decks for strip centers/in-line tenant space and standalone and pad sites, including noise control.
Parking structure	RP-3, RP-4, PO, CP-2, CBD, TNZ, PI (Amend. #34)	Same as a principal structure in	Same as a principal structure in	Can be approved as part of Preliminary Development Plan with modifications

Table 8-1. Accessory Structures				
Accessory Structure	Permitted Zoning Districts	Required Setbacks	Height	Size Limitations and Other Special Conditions Note: See Section 8.030.B for easement and right-of-way encroachments
		district	district	
Play Houses and play equipment	Residential (including AG, RDR and RLL)	Front : Prohibited Side: 3 feet Rear: 3 feet	15 feet	Maximum size 120 square feet.
Recreational facility, non-commercial (outdoor)	Residential (including RDR, RLL, R-1, RP-1, RP-2, RP-3, RP-4 and TNZ)	See Section 8.050.O.	N/A	No lights. Not for intensive league play, tournaments or teams outside of subdivision, apartment development, church or other principal use to which the facility is accessory. No permanent or temporary spectator seating.
Real Estate Sales Office (Temporary)	Residential (including RDR and RLL)	Per Administrative Approved Plot Plan	N/A	Temporary mobile home/trailer shall only be permitted until a home constructed within the subdivision is available for use. Temporary sales office in a model home shall be limited to two (2) years in any one location.
Retaining Wall	All	N/A	Above 4 feet requires permit and structural analysis	Security fencing may be required (Easements shall not be encroached upon)
Satellite Dish Antenna	All	Same as a principal structure in district	Same as a principal structure in district	Maximum size: 1 meter. A Special Use Permit is required for a satellite dish antenna in excess of 1 meter in size.
Sheds and Storage Buildings in AG District	AG	Front: Prohibited Side: 35 feet Rear: 35 feet (Amend. #3)	40 feet (maximum height in district)	No limitation on size in AG.
Sheds and Storage Buildings in Residential Districts (Amend.1)	Residential (including RDR and RLL)	Front: Prohibited Side: 3 feet Rear: 3 feet	15 feet	Maximum size 250 square feet.

Table 8-1. Accessory Structures				
Accessory Structure	Permitted Zoning Districts	Required Setbacks	Height	Size Limitations and Other Special Conditions Note: See Section 8.030.B for easement and right-of-way encroachments
Storage Sheds and Garages for a permitted non-residential use in a residential district (church or school)	Residential (including RDR and RLL)	Same as district requirements in which located	Same as district requirements in which located	Same as district requirements in which located. Design and construction shall be compatible with the main building.
Solar Collectors	All	Principal structure setbacks apply	Not to exceed principal structure height	Shall be mounted in a manner not to cause glare to surrounding properties
Stable/structure used in conjunction with horse pasturing	AG	Front: Prohibited Side: 35 feet Rear: 35 feet	40 feet (maximum height in district)	No limitation on size in AG.
Stable/structure used in conjunction with horse pasturing	RDR, RLL and R-1	Front: Prohibited Side and Rear: 30 feet	40 feet, or height of principal dwelling, whichever is less	250 square feet of building per acre, with maximum of 1000 square feet.
Sport Courts, Private Individual lot	Residential (including AG, RDR and RLL)	Front: Prohibited Side: Prohibited Rear: 10 feet	N/A	Sport Courts are not intended to be lighted. Any proposed lighting shall be approved by Special Use Permit only
Swimming Pool, private (Amend. #48)	CP-2, PI (Amend. #34)	Same as district requirements	Same as district requirements	Considered accessory unless the pool is the principal use of the property
Swimming Pool, private (Amend. #12)	Residential (including AG, RDR and RLL)	Front: Prohibited Side: 10 feet Rear: 10 feet	Pool House – 15 feet	Setbacks are inclusive of the concrete apron or deck surrounding the swimming pool. On corner lots, swimming pools shall not extend beyond front of structure.
Temporary Relocatable Classrooms	All	Per approved administrative plot plan	N/A	Permitted as an accessory use only for schools and churches (all others require a special use permit)

Packet Information

File #: BILL NO. 17-52, **Version:** 1

AN ORDINANCE APPROVING APPLICATION #PL2017-010 - ENVISION LS AREA DEVELOPMENT PLAN (ADP) DESIGN STANDARDS FOR AN AREA GENERALLY BOUNDED BY PINE TREE PLAZA, US 50 HWY, ADESA PROPERTY, JEFFERSON STREET (WEST OF M-291 HWY), 16TH STREET (EAST OF M-291 HWY), UNION PACIFIC RAILROAD RIGHT OF-WAY AND SOUTH M-291 HWY, KNOWN AS THE ENVISION LS CONCEPTUAL DEVELOPMENT MASTER PLAN, EXCEPTING THE 85 ACRES OWNED BY WESTCOTT INVESTMENT GROUP, LLC; ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Proposed City Council Motion:

First Motion: I move for second reading of AN ORDINANCE APPROVING APPLICATION #PL2017-010 - ENVISION LS AREA DEVELOPMENT PLAN (ADP) DESIGN STANDARDS FOR AN AREA GENERALLY BOUNDED BY PINE TREE PLAZA, US 50 HWY, ADESA PROPERTY, JEFFERSON STREET (WEST OF M-291 HWY), 16TH STREET (EAST OF M-291 HWY), UNION PACIFIC RAILROAD RIGHT OF-WAY AND SOUTH M-291 HWY, KNOWN AS THE ENVISION LS CONCEPTUAL DEVELOPMENT MASTER PLAN, EXCEPTING THE 85 ACRES OWNED BY WESTCOTT INVESTMENT GROUP, LLC; ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI

Second Motion: I move for adoption of AN ORDINANCE APPROVING APPLICATION #PL2017-010 - ENVISION LS AREA DEVELOPMENT PLAN (ADP) DESIGN STANDARDS FOR AN AREA GENERALLY BOUNDED BY PINE TREE PLAZA, US 50 HWY, ADESA PROPERTY, JEFFERSON STREET (WEST OF M-291 HWY), 16TH STREET (EAST OF M-291 HWY), UNION PACIFIC RAILROAD RIGHT OF-WAY AND SOUTH M-291 HWY, KNOWN AS THE ENVISION LS CONCEPTUAL DEVELOPMENT MASTER PLAN, EXCEPTING THE 85 ACRES OWNED BY WESTCOTT INVESTMENT GROUP, LLC; ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

BILL NO. 17-52

AN ORDINANCE APPROVING APPLICATION #PL2017-010 – ENVISION LS AREA DEVELOPMENT PLAN (ADP) DESIGN STANDARDS FOR AN AREA GENERALLY BOUNDED BY PINE TREE PLAZA, US 50 HWY, ADESA PROPERTY, JEFFERSON STREET (WEST OF M-291 HWY), 16TH STREET (EAST OF M-291 HWY), UNION PACIFIC RAILROAD RIGHT OF-WAY AND SOUTH M-291 HWY, KNOWN AS THE ENVISION LS CONCEPTUAL DEVELOPMENT MASTER PLAN, EXCEPTING THE 85 ACRES OWNED BY WESTCOTT INVESTMENT GROUP, LLC; ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-158 requesting a change in zoning classification from Districts CP-2 (Planned Community Commercial District), PI, (Planned Industrial District) and PMIX, (Planned Mixed Use District) to District PMIX (Planned Mixed Use District) on approximately 237 acres generally bounded by Pine Tree Plaza, US 50 Hwy, Adesa property, Jefferson Street (west of m-291 hwy), 16th Street (east of M-291 Hwy), Union Pacific Railroad right of-way and South M-291 Hwy and requesting approval of a conceptual development plan for the rezoned PMIX area, submitted by the City of Lee's Summit, was adopted by the City Council on November 3, 2016; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing on the EnVision LS Area Development Plan (ADP) Design Standards on February 14, 2017; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on March 2, 2017, and rendered a decision to adopt the EnVision LS Area Development Plan (ADP) Design Standards for said property.

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

SECTION 1. That the EnVision LS Area Development Plan (ADP) Design Standards, are hereby adopted for the following described property:

Generally bounded by Pine Tree Plaza, US 50 Hwy, Adesa property, Jefferson Street (west of m-291 hwy), 16th Street (east of M-291 Hwy), Union Pacific Railroad right of-way and South M-291 Hwy, excepting the 85 acres owned by Westcott Investment Group, LLC and more legally described as:

(See Attachment A)

SECTION 2. That these design standards and approved uses are hereby adopted for development within the EnVision LS Area Development Plan (ADP).

SECTION 3. The Governing Body concludes that these design standards will provide sustainable value to the City, incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent through the proposed project, effectively utilize the land upon which the development is proposed, and further the goals, spirit and intent of the Unified Development Ordinance.

BILL NO. 17-52

SECTION 4. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

SECTION 5. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

SECTION 6. That this ordinance shall be in full force and effect from and after the date of March 2, 2017.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this ____ day of _____, 2017.

Mayor *Randall L. Rhoads*

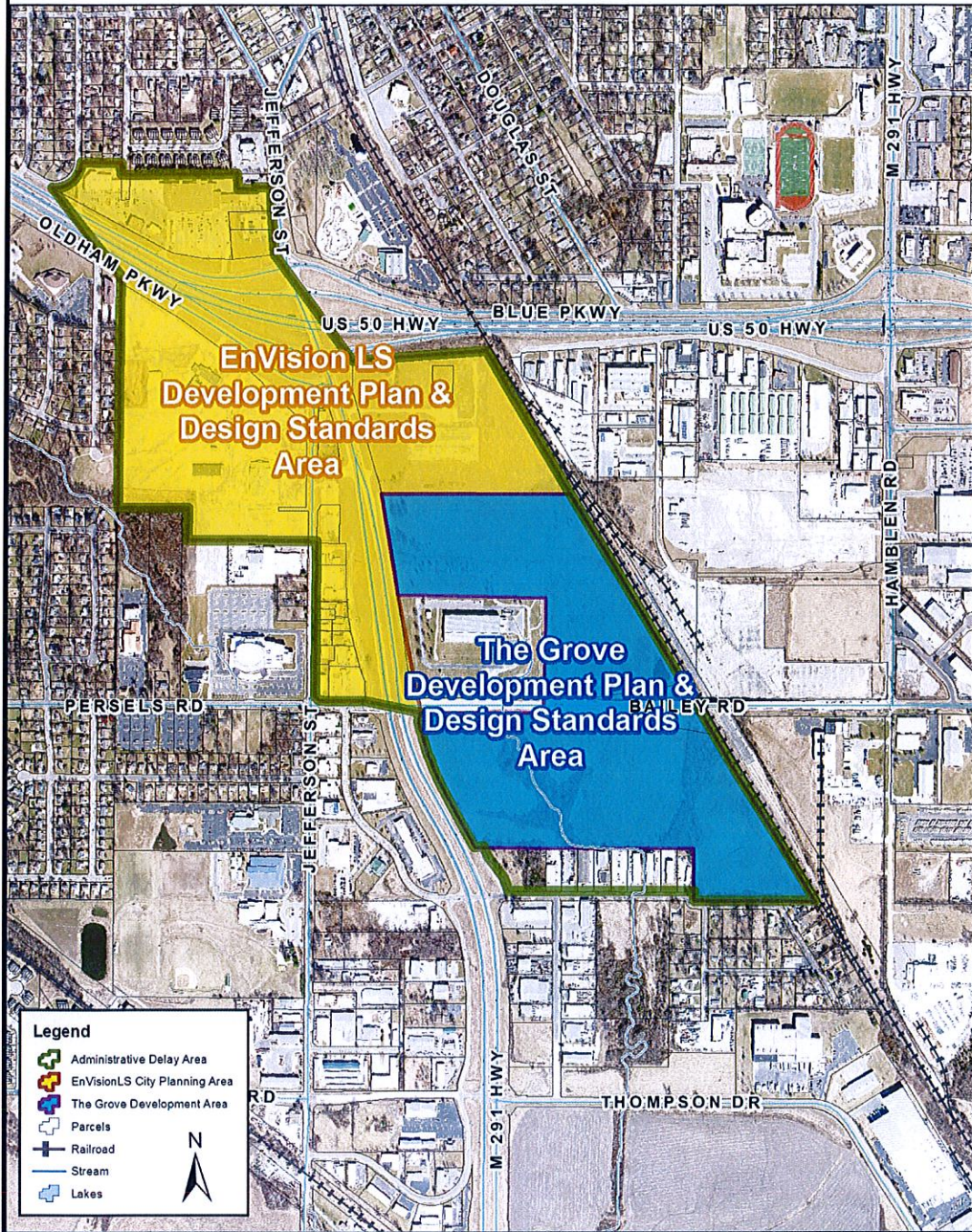
ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

Planning Areas for Design Standards

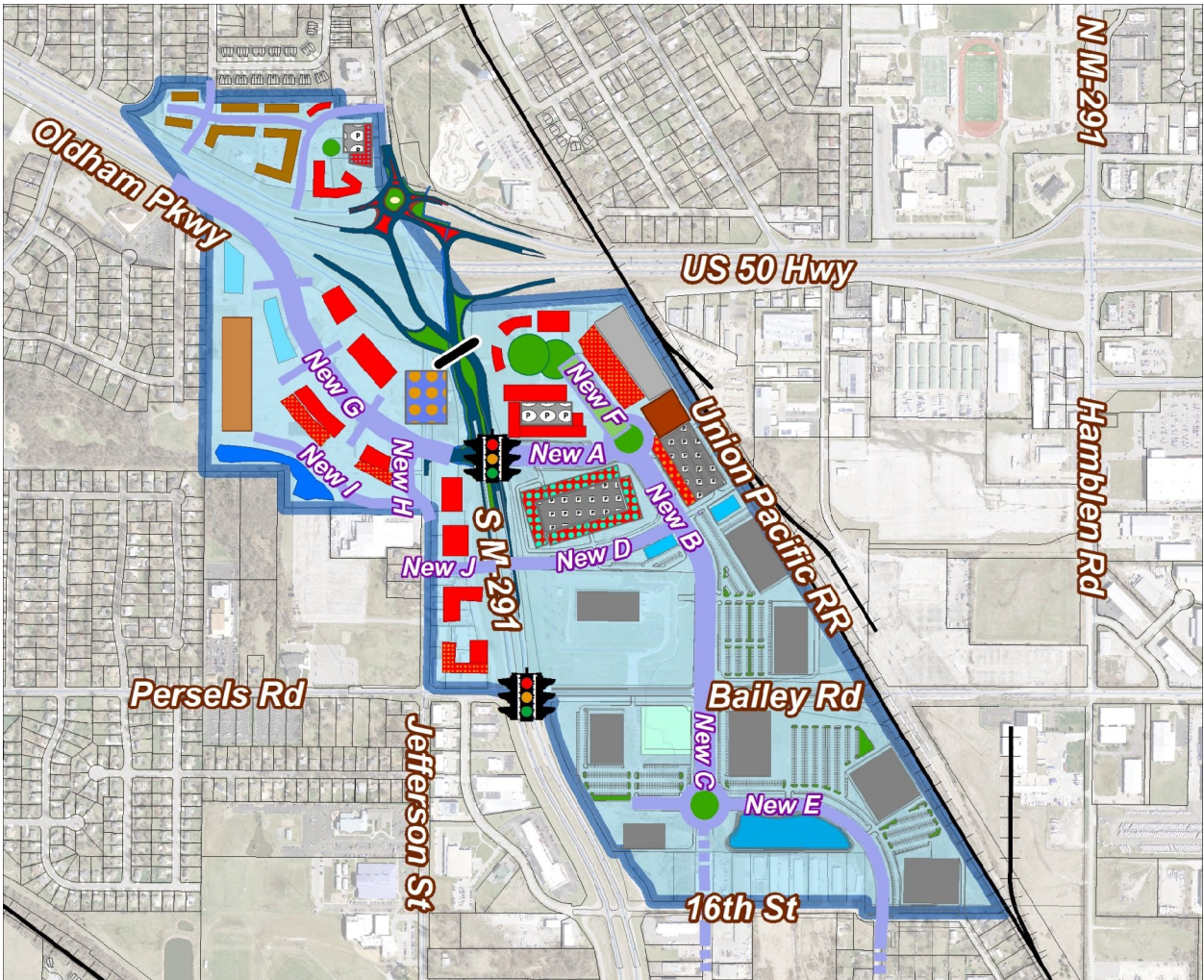


ENVISION LS AREA DEVELOPMENT PLAN (ADP) DESIGN STANDARDS

I. 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.

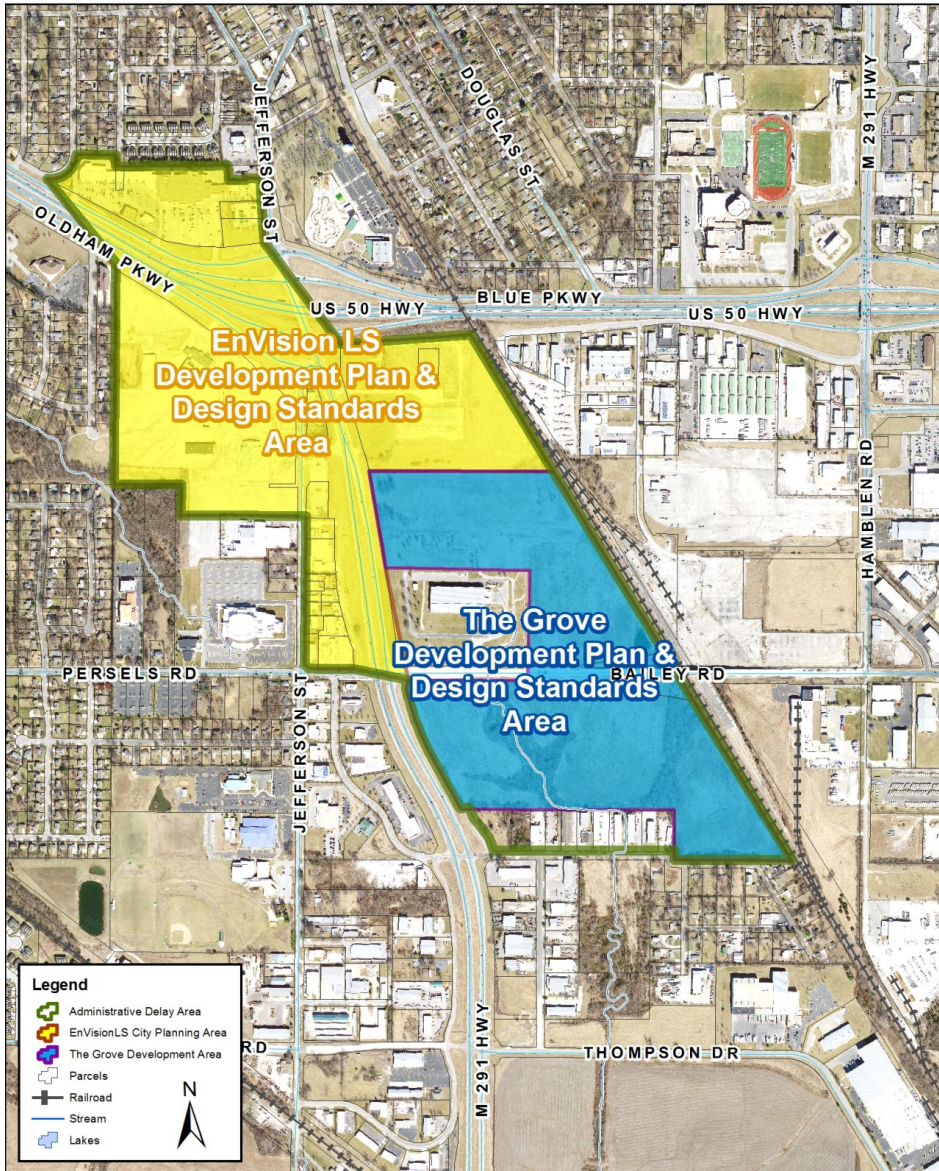


“ENVISION LS – ADOPTED CONCEPTUAL MASTER DEVELOPMENT PLAN”

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

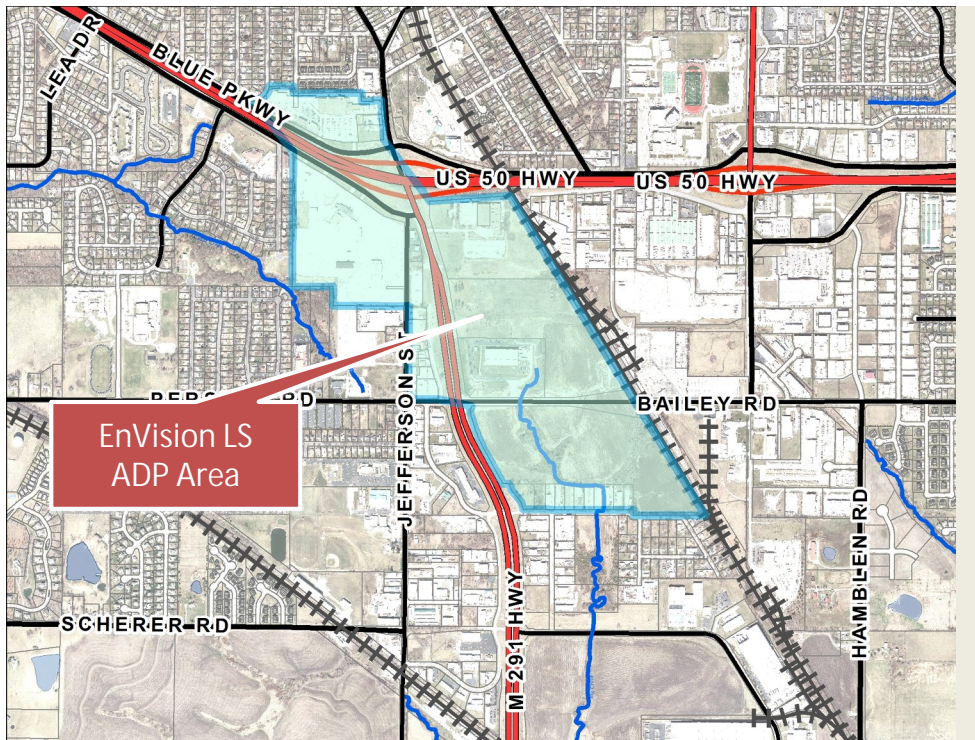


The Conceptual Master Plan and associated Design Standards outlined herein exhibit the City's desire and commitment to a vision of ***“establishing and achieving a desired aesthetic and a high quality gateway community at a prime commercial location”***. These Design Standards were created to establish 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.

II. 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, 2 to 5 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.

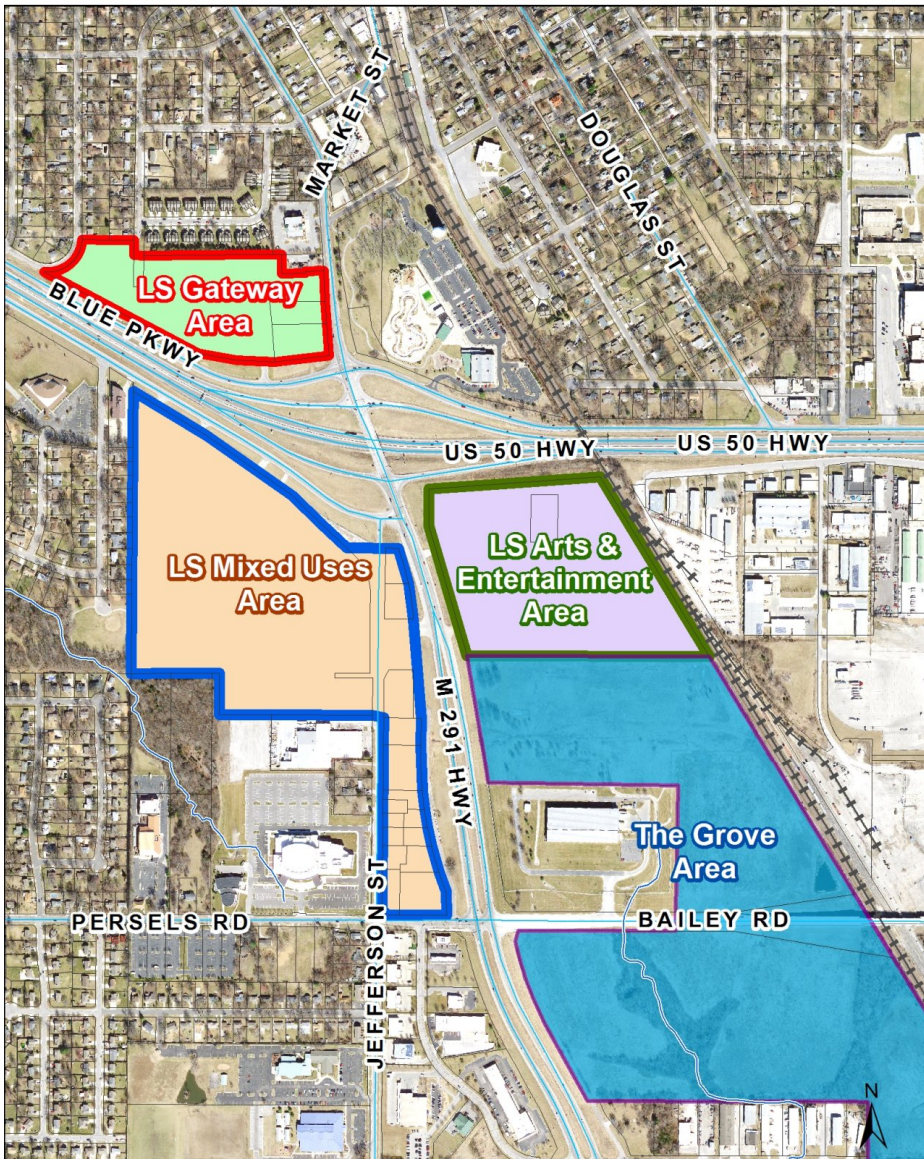


“AREA DEVELOPMENT PLAN BOUNDARIES”

C. The larger EnVision LS Area Development Plan, ADP, is divided into three (3) 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



III. 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**
 - a. 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.
 - b. 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.
 - c. Criteria. Alternative equivalent compliance may be approved if the applicant demonstrates that the following criteria have been met by the proposed alternative:
 - (1) Achieves the intent of the subject standard to the same or better degree than the subject standard;
 - (2) Advances the goals and policies of the ADP to the same or better degree than the subject standard;
 - (3) Results in benefits to the community that are equivalent to or exceed benefits associated with the subject standard; and
 - (4) Imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this ordinance.
 - d. 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.

IV. 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**

a. Purpose. The purpose of this section is to:

(1) Support the creation of a highly connected transportation system within Lee's Summit in order to provide choices for drivers, bicyclists, and pedestrians;

(2) 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;

(3) Reduce vehicle miles traveled; improve air quality and reduce emergency response times;

(4) Mitigate the traffic impacts of new development, and free up arterial capacity for long-distance travel needs; and

(5) Avoid the creation of large, isolated tracts without routes for traffic, pedestrian and bicycle connections.

b. **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.

c. **On-Site Pedestrian Connections**

(1) 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:

(a) Entrances to each building on the site, including pad site buildings;

(b) Public sidewalks, walkways, or trails on adjacent properties that extend to the boundaries shared with the subject development;

(c) Public sidewalks along the perimeter streets adjacent to the development;

(d) Adjacent land uses and developments;

(e) Adjacent public park, greenway, or other public or civic use; and



Sidewalks on both sides of street



On-site pedestrian connections

- (f) Adjacent public transit station areas, transit stops, park and ride facilities, or other transit facilities.
- (2) On-site pedestrian connections shall be constructed of materials distinguishable from the driving surface such as:
 - (a) Changing paving color;
 - (b) Painted crosswalks; or
 - (c) Stamped concrete.

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

- (3) 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:

- (a) Arcades, porticos, or other shade structures;
- (b) Pedestrian light features,
- (c) Bollards,
- (d) Seat walls or benches;
- (e) Drinking water fountains; and
- (f) Landscape planters.

- (4) 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.

d. Trail Linkages.

- (1) 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.



Decorative materials for pedestrian crossings



Residential trail connection

- (2) 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.
- (3) 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 14, Landscaping, Buffers, and Tree Protection.

a. Multi-Family, Mixed-Use, and Commercial Screening. For all developments the following mechanical equipment screening standard shall apply to the maximum extent practicable.

(1) 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.



Parapet wall screening roof mounted equipment

(2) 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.

(3) 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.

(4) Utilities

- (a) Utility poles and supports shall be painted or be of materials neutral in color. Wooden poles shall be prohibited.
- (b) 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.
- (c) Such screening shall be adequate to completely screen such facilities from all rights-of-way.

b. Screening of Service, Loading, and Storage Areas

(1) 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.

(2) Placement

(a) All service areas shall be placed at the rear, on the side of, or inside buildings.

(b) No service area shall be visible from a public right-of-way or from adjacent residential areas.

(c) 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.

(3) Outside Storage Areas and Loading Docks

(a) 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 14.1, Buffer/Screen Impact.



Loading area placement and screening

(b) An opaque screen consisting of one or a combination of the following shall be used:

1) Freestanding walls, wing walls, or fences;

2) Earthen berms in conjunction with trees and other landscaping; or

3) Landscaping, that must be opaque and eight feet in height within 18 months of planting.

(c) 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.

(d) 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.

(4) Shopping Cart Storage. All shopping carts shall be stored inside the building they serve. Shopping cart corrals shall be prohibited.

(5) 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

(a) Meeting the requirements of the other sections of this section; or

(b) 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.

(6) 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

- a. 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:
- (1) Encourage high quality development as a strategy for investing in the ADP;
 - (2) Emphasize the unique character anticipated for the ADP;
 - (3) Maintain and enhance the quality of life for the City's citizens;
 - (4) Shape the City's appearance, aesthetic quality, and spatial form;
 - (5) Protect and enhance property values;
 - (6) Provide property owners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for developing land within the ADP; and
 - (7) Promote the sustainability of both the structure and the overall community.
 - (8) Promote the establishment of a gateway into the historic downtown.
- b. Design Standards. Design standards in this subsection apply to all new multi-family development.

- (1) Minimum Building Separation (for Individual free standing buildings). Multi-family structures shall be separated pursuant to the standards of the Building Code.

(2) Building Orientation

- (a) Individual buildings within a multi-family development shall be oriented to:

- 1) Common open space, such as interior courtyards or on-site natural areas or features;
- 2) Perimeter streets;
- 3) Other residential buildings; or
- 4) Through-access drives.

- (b) 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:

- 1) Seasonal planting areas,
- 2) Trees,
- 3) Pedestrian-scaled lighting,
- 4) Gazebos or other decorative shelters,



Courtyard Orientation



Perimeter Street Orientation

- 5) Seating,
- 6) Play structures for children, or
- 7) Natural features or areas, unless the City determines that for preservation reasons the buildings should avoid the feature or area.

(3) Entrance Orientation

- (a) Primary entrances and façades shall not be oriented towards parking lots, garages, or carports.
- (b) All individual multi-family buildings shall comply with at least two of the following requirements:
 - 1) At least one main building entry faces an adjacent public street;
 - 2) A building entrance faces a courtyard or common open space that has a direct and visible connection to an adjacent public street;
 - 3) A building entry is connected to a public sidewalk by a system of interior walkways; or
 - 4) The pedestrian entries to the site from the public right-of-way are emphasized with enhanced landscaping, special paving, gateways, arbors, or similar features.
- (c) 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.

- 1) Exterior entrances from a public sidewalk or common open space are permitted for dwelling units on the ground floor.
- 2) Exterior entrances shall be raised from the finished ground-floor level of the sidewalk a minimum of two feet.



Ground-floor unit entrances

(d) Dwelling units above the ground floor shall have interior unit entrances including fire stair towers.

(4) 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

c. Building Design

(1) 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.

(2) Building Mass and Articulation

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

- 1) Balconies;
- 2) Bay or box windows;
- 3) Porches or covered entries;
- 4) Dormers or other variations in the roof plane;
- 5) Accent materials such as brick, stone, or stucco with banding highlights;
- 6) Shutters;
- 7) Variation in window sizes and shapes; or
- 8) Vertical elements that demarcate building modules.



Multi-family building articulation

(b) Multi-family buildings shall provide concentrated unit access points. Access balconies and corridors running the length of the exterior of a building are prohibited.

(3) Vertical Articulation

- (a) 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 (2)(a).
- (b) 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.

(4) Building Length. The maximum length of any multifamily building shall be 180 feet without offsets to break up the building length.

(5) Transparency. At least 20 percent of all walls facing a public street shall contain windows or doorways.

(6) Design of Multiple Buildings

- (a) Developments with multiple buildings shall incorporate a variety of distinct building designs according to the scale of the development.
- (b) Distinct building designs shall include one or more of the following:
 - 1) A variation in length of 30 percent or more;
 - 2) A variation in the footprint of the building of 30 percent or more;
 - 3) A distinct variation in color and use of materials; or
 - 4) A distinct variation in building height and roof form.

(7) Materials. All material shall be durable and long-lasting. The following materials are acceptable for multi-family residential construction:

- (a) Brick, concrete stucco, stone, stone facing, wood, glass in combination with metal, or similar, durable architectural materials as approved by the Planning Commission.
- (b) Vinyl siding is prohibited and EIFS may only be utilized in a limited portion for detailed architectural elements above the 2nd story.

d. Parking Location and Layout

(1) Location and Layout

- (a) 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.
- (b) 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.



Multi-family parking located behind primary structure

- (c) 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.

(2) Carports and Detached Garages

- (a) Detached garages and carports shall incorporate compatible materials, scale, colors, architectural details, and roof slopes similar to those of the primary multi-family buildings.
- (b) 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 & Commercial Design Standards

- a. Applicability. The design standards in this section apply to all mixed-use and commercial (nonresidential) structures.

- b. Site Layout and Building Organization

- (1) Private Common Spaces

- (a) 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.



Private common space

- (b) Features and Amenities. The following features may be used to satisfy the private common space standard:
 - 1) Patio or plaza with seating and landscaping;
 - 2) Landscaped mini-parks or square;
 - 3) Rooftop or community garden; or
 - 4) Similar features as approved by the Director.

- (c) 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.

(2) Building Orientation

- (a) 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.



Buildings arranged to create pedestrian-friendly spaces

- (b) Multi-Building Developments

- 1) Buildings shall be organized to promote a compact pattern of development, pedestrian-friendly spaces, streetscapes, areas of naturalized landscaping, and to screen parking areas.
- 2) Buildings shall be arranged and grouped so that their primary orientation complements one another and adjacent, existing development by:
 - a) Framing the corner of an adjacent street intersection or entry point to the development;
 - b) Framing and enclosing a pedestrian and/or vehicle road or access corridor within or adjacent to the development site;
 - c) Framing and enclosing on at least three sides parking areas, public spaces, or other site amenities;
 - d) Framing and/or enclosing outdoor dining or gathering spaces for pedestrians between buildings; or
 - e) Framing one or more areas of natural vegetation.

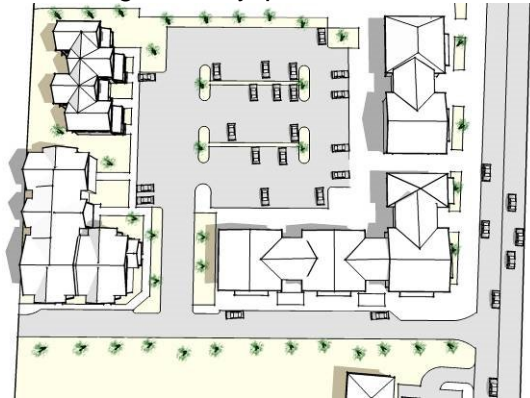
- (c) Entrance Orientation

- 1) To the maximum extent feasible, the principal building entrance shall face:
 - a) An adjacent public street;
 - b) An adjacent public plaza; or
 - c) An adjacent primary public walkway.
- 2) 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).

(3) Outparcel Development

(a) 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.

(b) 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.



Site layout of outparcel development

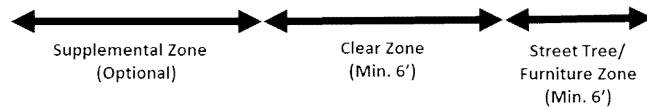
c. Streetscape Design and Character

The following standards apply in lieu of the standard sidewalk requirements.

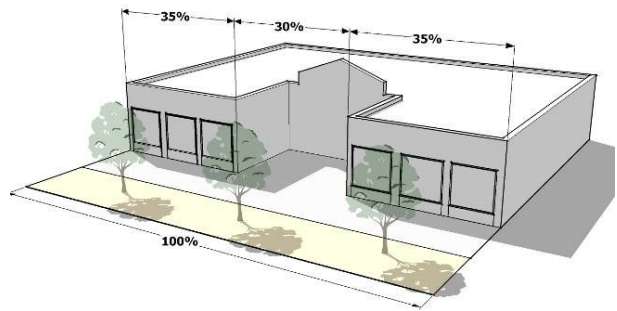
(1) Public Sidewalks Required. In order to create an environment that is supportive of transit and pedestrian mobility, public sidewalks shall be provided along both sides of all streets in the mixed-use districts. Such sidewalks shall be at least 10 feet in width and should not be more than 16 feet in width, unless otherwise approved as part of the design review process. The 10-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 10-foot minimum requirement, with a sidewalk easement provided.

(2) 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.

(a) 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 14. 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



(b) 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

(c) 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.

- (d) 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.
- (3) Building Placement. At least 70 percent of the building facade facing a public street shall be brought up to the clear area.
- (4) Sidewalk Entries
 - (a) Spacing. Sidewalk entries shall be provided to all buildings and individual units that front on the sidewalk.

- (b) Sidewalk Entry Hierarchy. Entrances into residential buildings in mixed-use areas are encouraged to follow a hierarchy of sizes and functions as follows:



Secondary entry

- 1) Carriage way: A centrally located twelve-foot wide entrance at sidewalk level for visual and direct access to a private courtyard.
 - 2) 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.
 - 3) 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.
- (5) 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.
 - (6) 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.

- d. 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.

(1) Ground-Floor Uses

- (a) 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.



Active street-level uses and outdoor gathering spaces

(b) Standards

- 1) 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.
- 2) 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.

- (2) 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:

- (a) Residential uses are vertically located above street-level commercial uses;
- (b) 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
- (c) 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.

- e. 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:

- (1) 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.
- (2) 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.
- (3) 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:
 - (a) 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
 - (b) Berming of the grade to at least 2 ½ 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.

(4) 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:

(a) Design

- 1) 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.
- 2) 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.
 - a) Windows or window-shaped openings with decorative mesh or similar features as approved by the Director;
 - b) Masonry columns;
 - c) Decorative wall insets or projections;
 - d) Awnings;
 - e) Changes in color or texture of materials;
 - f) Approved public art;
 - g) Integrated landscape planters; or
 - h) Other similar features approved by the Director.

(b) 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.

(c) 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

- 1) Abut street intersections or public/civic use areas,
- 2) Be adjacent to public squares, or
- 3) Occupy sites that are the terminus of a street vista.

f. Building Design

(1) Four-Sided Design

(a) 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.

(b) 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.

(c) 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.



Franchise design consistent with surrounding structures

(2) Consistent Architectural Theme

(a) 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.

(b) 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:

- 1) Overhangs,
- 2) Canopies or porticos,
- 3) Recesses/projections,
- 4) Arcades,
- 5) Raised corniced parapets over the entrance,
- 6) Peaked roof forms,
- 7) Arches,
- 8) Outdoor patios,
- 9) Tower elements (at strategic locations),
- 10) Display windows,

- 11) Integral planters that incorporate landscaped areas or seating areas, and
 - 12) Public art/sculptures.
- (3) Building Materials and Colors
- (a) 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).
 - (b) Mix of Materials
 - 1) 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.
 - 2) 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.
 - 3) Structures over 20,000 square feet shall require a minimum of three distinct building materials on all facades to provide architectural detail and interest.
 - (c) Prohibited Materials. The following materials are prohibited as primary cladding or roofing materials:
 - 1) Aluminum siding or cladding,
 - 2) Plastic or vinyl siding,
 - 3) Exposed aggregate, and
 - 4) Wood shingles.
 - (d) Façade Colors
 - 1) Colors of paint, stains, and other finishes or materials shall complement each other.



Mix of building materials

- 2) Generally, no more than four colors per building are permitted.
- 3) Fluorescent colors are prohibited.

- 4) Primary colors are prohibited.
 - 5) The use of stark white is discouraged.
- (e) Transparency and Glazing
- 1) At least 25 percent of all walls facing a public street shall contain windows or doorways.
 - 2) 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.
 - 3) Energy conserving window films and coatings are permissible within these standards.
- (4) 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.
- (a) 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.
 - (b) 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:
 - 1) Eaves,
 - 2) Planters,
 - 3) Mounted signs,
 - 4) Pilasters,
 - 5) Tower elements,
 - 6) Water features, or
 - 7) Arcades.

g. Building Massing and Form

- (1) 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

- (2) 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:

- (a) Variations in roof form and parapet heights;
- (b) Pronounced recesses and projections;
- (c) Distinct changes in texture and color of wall surfaces;
- (d) Ground level arcades and second floor galleries/balconies;
- (e) Protected and recessed entries; and
- (f) Vertical accents or focal points.

- (3) 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:

- (a) 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; or



Appropriate transition in building height and mass

- (b) 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
- (c) Orienting porches, balconies, and other outdoor living spaces away from the shared property line to protect the privacy of adjacent residents where applicable.

(4) Entrances and Pedestrian Areas

- (a) Primary entries and pedestrian frontages shall be clearly visible from the street and accentuated from the overall building facade by:
 - 1) Differentiated roof, awning, or portico;
 - 2) Covered walkways or arcades;
 - 3) Projecting or recessed entries from the surrounding building facade;
 - 4) Detailed doors and doorways with transoms, sidelights, trim details, and/or framing; and
 - 5) Windows within doorways equivalent in size to 50 percent of door surface area.
- (b) Secondary entrances shall have minor architectural detailing that adds visual interest to that portion of the façade.



Entrance design and pedestrian areas

(5) Roofs

- (a) 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.
- (b) 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.
- (c) Overhanging Eaves. Overhanging eaves shall extend no less than three feet past the supporting walls.
- (d) Roof Pitch. Pitched roofs shall have a pitch consistent with the majority of buildings within 1000 feet. This requirement excludes roofs for entries and dormers.
- (e) Architectural Elements. Architectural elements that add visual interest to the roof, such as dormers and masonry chimneys, are encouraged.
- (f) Roof Materials

- 1) Asphalt shingles, industry-approved synthetic shingles, standing seam metal or tile roofs are allowed.
 - 2) 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.
- (6) Awnings, Canopies, Arcades, and Overhangs. Structural awnings are encouraged at the ground level to enhance the articulation of the building and provide shade.
- (a) The material of awnings and canopies shall complement the building.
 - (b) Awnings shall not be internally illuminated.
 - (c) Canopies shall not exceed 40 linear feet without a break.
 - (d) 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.
 - (e) Canopies shall respect the placement of street trees and lighting and shall not interfere with them.
 - (f) 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.
- h. Compatibility Standards
- (1) 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.
 - (2) Use Limitations. Where these compatibility standards apply, the following uses or features shall be prohibited as principal or accessory uses:
 - (a) Public address/loudspeaker systems;
 - (b) Outdoor storage; and
 - (c) Uses providing delivery services via large tractor trailers (not including package delivery services).
 - (3) Off-Street Parking Location
 - (a) 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.
 - 1) Adjacent to off-street parking lots serving nonresidential uses on abutting lots;
 - 2) Adjacent to lot lines abutting nonresidential development;
 - 3) Adjacent to lot lines abutting mixed-use development;

- 4) Behind the building;
 - 5) In front of the building; or
 - 6) Adjacent to lot lines abutting residential uses.
- (b) 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.

(4) Relationship to Surrounding Uses

- (a) 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.
- (b) Horizontally integrated mixed-use developments shall locate nonresidential uses away from lots in adjacent residential areas.
- (c) 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.



Gradual decrease in building height and mass towards adjacent residential uses

(5) Facade Configuration

- (a) 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.
- (b) Windows shall be arranged to avoid direct lines-of-sight into abutting residential uses.
- (c) 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.

(6) Landscaping/Screening

- (a) Screening shall not interfere with public sidewalks, vehicular cross-accessways, or improved pedestrian connections.
- (b) 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.

(7) Operation

- (a) 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 pm.
- (b) Loading or unloading activities shall take place only between the hours of 7:00 am and 11:00 pm.
- (c) Alternate hours of activities may be approved through the conditional use permit process.

i. Green Design

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

- (1) 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;
- (2) Energy-efficient materials, including recycled materials that meet the requirements of this Code;
- (3) Materials that are produced from renewable resources;
- (4) A green roof, such as a vegetated roof, or a cool roof;
- (5) Materials and design meeting the U.S. Green Building Council's LEED-NC certification requirements; or
- (6) A greywater recycling system.



Commercial building with solar panels

V. 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 5-1 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 9 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 sq. ft. on one (1) 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.

VI. Signage – Refer to development plan sign package or UDO Article 13 Signs

Packet Information

File #: BILL NO. 17-53, Version: 1

ORDINANCE APPROVING THE FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED LONGVIEW FARM TAX INCREMENT FINANCING PLAN.

Issue/Request:

ORDINANCE APPROVING THE FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED LONGVIEW FARM TAX INCREMENT FINANCING PLAN

Key Issues:

This ordinance will approve the First Amendment to the Second Amended and Restated Longview Farm TIF Plan that was approved by the City Council in December 2015. The amendment will add the North Arch to the definition of Historical Structures and amend the estimated redevelopment project costs to include the estimated costs associated with restoration of the North Arch. The North Arch is located at the intersection of 3rd Street, View High Drive and Longview Boulevard, north of the Hawthorn Bank building.

The amendment presents no net increase in the total costs of historic preservation that is funded by the TIF Plan and the City Loan. The total amount to be funded under the City Loan remains at a maximum of \$3.65 million with this amendment.

The amendment also adjusts the Exhibit 6 Budget to match the facts known at the time that the Tax Increment Financing Contract between the City and M-III Longview, LLC (the "**TIF Contract**") was executed on December 1, 2016: (1) the Reimbursable Project Costs associated with the Show Horse Arena have been repaid in full and are now \$0; (2) the line-item for Farm Office and Dairy Manager's House Rehabilitation has been adjusted down to \$150,000; and (3) Lake Rehabilitation has been added to the Reimbursable Project Costs which may be funded pursuant to the City Loan as the result of having the Show Horse Arena fully repaid.

Proposed City Council Motion:

First Motion: An ORDINANCE APPROVING THE FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED LONGVIEW FARM TAX INCREMENT FINANCING PLAN, I move for second reading.

Second Motion: An ORDINANCE APPROVING THE FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED LONGVIEW FARM TAX INCREMENT FINANCING PLAN, I move for adoption.

Background:

The Redevelopment Plan was adopted by the Lee's Summit City Council on December 21, 2015, by Ordinance No. 7778. The Redevelopment Area contains approximately 260 acres of land generally located southeast of the intersection of Northwest View High Drive and Southwest 3rd Street in northwestern Lee's Summit. The Redevelopment Plan included four Redevelopment Project Areas and contemplated the continued collection of TIF Revenues in those areas for the purpose of funding the Historic Preservation Improvements.

The City and M-III Longview, LLC, executed the Tax Increment Financing Contract on December 1, 2016 to implement this TIF Plan and the companion New Longview TIF Plan. The TIF Contract contains a provision which provides that the City will amend the 2003 TIF Plan to include the estimated costs of the North Arch. This amendment follows through

with that TIF Contract provision.

Timeline:

Developer has engaged a company (Rau Construction) to evaluate the North Arch rehabilitation costs (along with the Pergola) and that work is underway as of the date that this Council agenda item is being prepared. It is anticipated that the North Arch costs will be finalized in March 2017 and the developer will enter into a contract for the work, and the work can occur as weather permits this year.

As an update on the overall timing of the historic preservation efforts for the project as a whole, Sunflower has been evaluating the scope of stabilization work and budgets with a structural engineer for the barns and the farm office/dairy manager house. Most recently, their structural engineer has provided a draft scope and bid which includes temporary shoring or scaffolding to support the structures until full rehabilitation commencement. When the structural engineer walked the barns more recently they found a couple areas of concern that may need to be addressed with a more permanent solution to avoid further destabilization.

Mariner and Sunflower have also recently undertaken the following items regarding the Mansion:

- Conducted site tour of the Mansion with architect and construction company
- Conducted follow-up tour by construction company for specific questions
- Engaged company to prepare historic tax credit application
- Completed existing conditions photos to include with historic tax credit application
- Held meetings with Mansion operators to understand future event bookings and long-term lease structure
- Sunflower is negotiating the Mansion purchase contract with Mariner
- Discussing parking lot lease with Mariner and options to secure permanent parking lot for long-term ownership of the Mansion

Presenter: David Bushek, Gilmore & Bell, P.C.

Recommendation: Staff recommends approval of the First Amendment to the Second Amended and Restated Longview Farm Tax Increment Financing Plan.

BILL NO. 17-53

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED LONGVIEW FARM TAX INCREMENT FINANCING PLAN.

WHEREAS, the Second Amended and Restated Longview Farm Tax Increment Financing Plan (the "Redevelopment Plan") was adopted by the Lee's Summit City Council on December 21, 2015, by Ordinance No. 7778; and,

WHEREAS, the Redevelopment Area contains approximately 260 acres of land generally located southeast of the intersection of Northwest View High Drive and Southwest 3rd Street in northwestern Lee's Summit; and,

WHEREAS, the Redevelopment Area includes four activated Redevelopment Project Areas and TIF Revenues are being collected from those areas for the purpose of funding historic preservation improvements; and,

WHEREAS, the attached First Amendment to the Redevelopment Plan (the "First Amendment") will add the North Arch to the definition of Historical Structures, amend the estimated redevelopment project costs to include the costs associated with restoration of the North Arch, and bring the budget up-to-date with the facts known at the time that the Tax Increment Financing Contract between the City and M-III Longview, LLC (the "TIF Contract") was executed on December 1, 2016; and,

WHEREAS, the City Council now desires to approve the attached First Amendment; and,

WHEREAS, notice of the adoption of this Ordinance was published in a newspaper of general circulation and mailed to the taxing districts in compliance with Sections 99.800 to 99.865 of the Revised Statutes of Missouri.

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

SECTION 1. The First Amendment to the Redevelopment Plan attached hereto, dated March 2, 2017 is hereby approved and adopted.

SECTION 2. The City Manager and City staff and consultants are hereby authorized to take any action as may be deemed necessary or convenient to carry out and comply with the intent of this Ordinance, and to execute and deliver for and on behalf of the City all certificates, instruments or other documents as may be necessary, desirable, convenient or proper to perform all matters herein authorized.

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

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor.

PASSED by the City Council for the City of Lee's Summit, Missouri, this 2nd day of March, 2017.

BILL NO. 17-53

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this _____ day of March, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

EXHIBIT A

FIRST AMENDMENT TO REDEVELOPMENT PLAN

[See attached]

**FIRST AMENDMENT TO THE
SECOND AMENDED AND RESTATED
LONGVIEW FARM
TAX INCREMENT FINANCING PLAN**

Lee's Summit, Missouri

Approved March 2, 2017

Capitalized terms shall have the meaning set forth in Article II of the Second Amended and Restated Longview Farm Tax Increment Financing Plan (the “**Redevelopment Plan**”).

BACKGROUND

The Redevelopment Plan was adopted by the Lee’s Summit City Council on December 21, 2015, by Ordinance No. 7778. The Redevelopment Area contains approximately 260 acres of land generally located southeast of the intersection of Northwest View High Drive and Southwest 3rd Street in northwestern Lee’s Summit. The Redevelopment Plan includes four activated Redevelopment Project Areas and TIF Revenues will continued to be collected in those areas for the purpose of funding the Historic Preservation Improvements until the expiration of each Redevelopment Project Area in accordance with the TIF Act.

SUMMARY OF THE FIRST AMENDMENT

This First Amendment adds the North Arch to the definition of Historical Structures and amends the estimated Redevelopment Project Costs to include the costs associated with restoration of the North Arch. This First Amendment also adjusts the Exhibit 6 Budget to match the facts known at the time that the Tax Increment Financing Contract between the City and M-III Longview, LLC (the “**TIF Contract**”) was executed on December 1, 2016: (1) the Reimbursable Project Costs associated with the Show Horse Arena have been repaid in full and are now \$0; (2) the line-item for Farm Office and Dairy Manager’s House Rehabilitation has been adjusted to \$150,000; and (3) the addition of the Lake Rehabilitation to the Reimbursable Project Costs which may be funded pursuant to the “City Loan” (as defined in the TIF Contract). The cost of the North Arch rehabilitation which is set forth in the revised Exhibit 6 Budget is an estimate and the actual funding for the North Arch will be in accordance with the tax increment financing contract executed between the City and developer of record for the Redevelopment Plan.

REVISIONS TO THE PLAN

The definition of Historic Structures in Section II.P. of the Second Amended and Restated Plan is hereby replaced with the following:

P. Historic Structures. The following structures located within the Redevelopment Area: Mansion, Pergola, Calf and Shelter Barn, Dairy Barn and Milk House, Farm Office, Dairy Manager's Office, and North Arch, including all surrounding grounds, support areas, Old Longview Lake and lakefront improvements.

At the time that this First Amendment is approved, a review of the estimated costs for the North Arch rehabilitation work has commenced but not completed by a consultant for the developer of record. The amount of the North Arch cost to be funded by the Redevelopment Plan will be based on the actual costs incurred pursuant to the terms and conditions of the TIF Contract.

REVISIONS TO THE PLAN EXHIBITS

The exhibits to the Plan are amended in accordance with the following descriptions and attached revised exhibits:

Amended Exhibit **Nature of Amendment**

Exhibit 6 **Estimated Redevelopment Project Costs**

The Estimated Redevelopment Project Costs in the Second Amended and Restated Plan is hereby replaced with the new Estimated Redevelopment Project Costs attached hereto.

Exhibit 6
Estimated Redevelopment Project Costs

[See Attached]

Exhibit 6
Estimated Redevelopment Project Costs
Longview Farm TIF
Use of Revenues from Project Areas 1B, 2C, 3, 6

Longview Farm TIF

Project Costs	Total Project Costs	TIF
Portion of Mansion Rehabilitation	\$ 1,100,000	\$ 1,100,000
Structural rehab		
New roof and exterior façade improvements		
Interior repairs and improvements		
Improvements to grounds and landscape		
Barn Stabilization	\$ 650,000	\$ 650,000
Patch and seal major roof and stucco issues		
Temporary structural support / repair where critical		
Secure windows and doors		
Assess, store and catalogue historic items and materials		
Install temporary lighting and electricity		
Pergola Rehabilitation	\$ 900,000	\$ 900,000
New roof, exterior, lighting and decorative balustrades		
Structural rehab		
New "stage" on the north end between the lily ponds		
New retaining wall along Old Longview Lake		
New Landscape / Hardscape		
Lake Rehabilitation	\$ 350,000	\$ 350,000
Farm Office & Dairy Manager's House Stabilization	\$ 150,000	\$ 150,000
Patch and seal major roof and stucco issues		
Temporary structural and eave support / repair		
Secure windows and doors		
North Arch Rehabilitation	\$ 50,000	\$ 50,000
Contingency for Historical Preservation Improvements	\$ 150,000	\$ 150,000
Legal & Professional Services	\$ 300,000	\$ 300,000
Total Development Costs	\$ 3,650,000	\$ 3,650,000

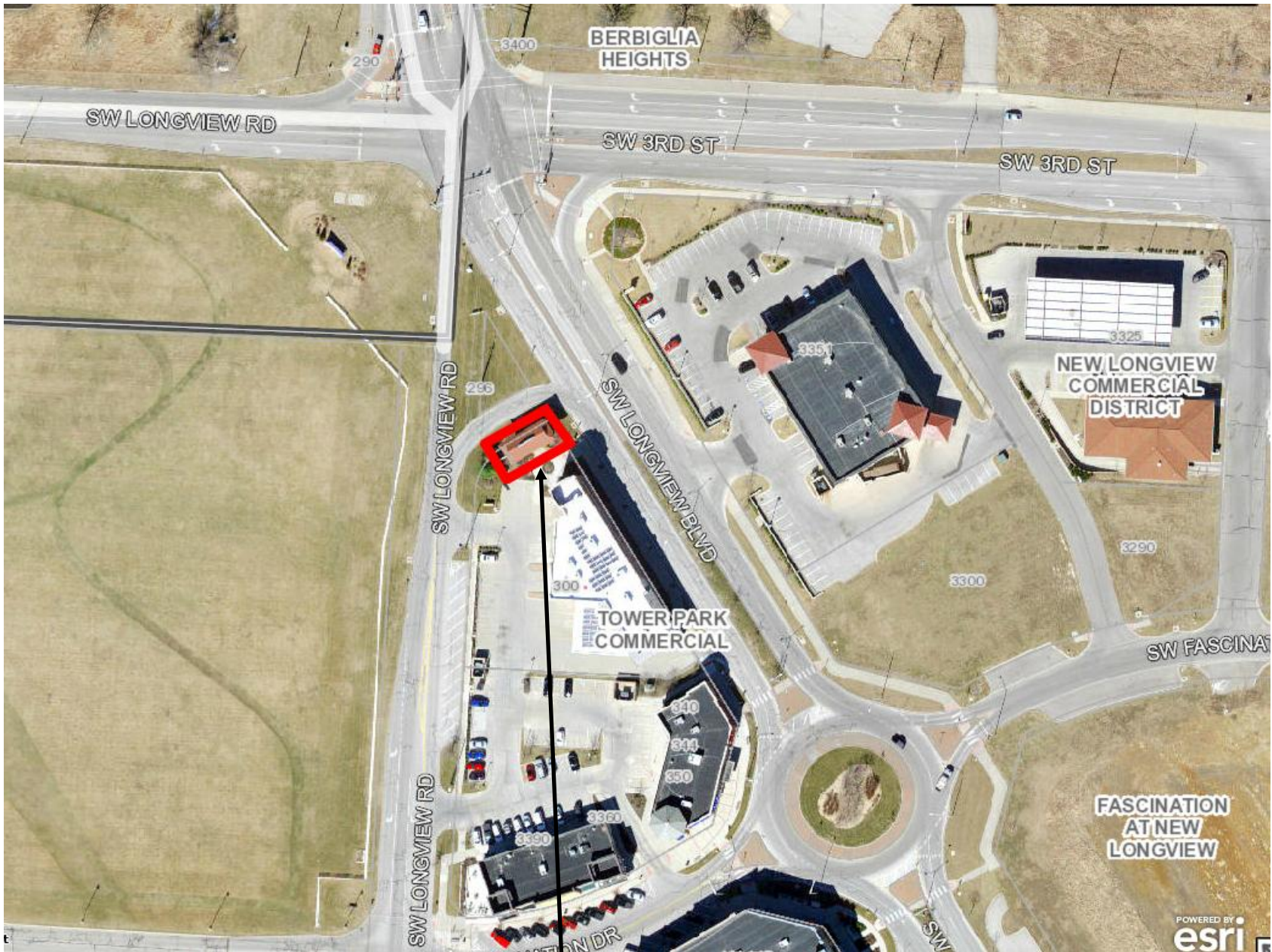
Notes:

(1) Amount set forth in the TIF column totaling \$3,650,000 is a net reimbursable project cost reimbursement and does not include (other than certain limited interest and financing costs during the construction and ramp-up period to stabilization) interest expenses, financing expenses, fees, or costs of issuance for bonds or any other financing instruments, all of which are reimbursable project costs.

(2) Any amounts paid to the City for payment or reimbursement of its professional fees and other charges of any kind related to these projects are deemed Reimbursable Project Costs.

(3) The TIF reimbursable amounts set forth in this Exhibit 6 are reasonable best estimates at the time of approval of this Plan and it is agreed to and understood that such estimates are subject to change as part of the development process. The TIF reimbursable amount may be applied to any one or all of the stated line items, irrespective of the costs set forth in this exhibit, up to the maximum reimbursable amount of \$3,650,000 pursuant to the Redevelopment Agreement. The revenue generated from Redevelopment Project Areas 1B, 2C, 3 and 6 may be available to reimburse any approved Developer expenses related to the Plan, and not solely to reimburse expenses within the Redevelopment Project Areas within which the TIF Revenues were generated.

(4) For complete Mansion redevelopment budget, see Exhibit 10.



New Longview - North Arch location