



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-000
Applicant	Summit Custom Homes
Property Address	2350 W. Hwy. 50
Planning Commission Date	December 5, 2016
Heard by	Planning and Zoning Commission and City Council
Analyst	Planner
Checked By	Hector Soto, Jr., AICP, Current Planning Manager and Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: July 4, 2019
Neighborhood meeting conducted: July 19, 2016 If applicable
Newspaper notification published on: October 22, 2016
Radius notices mailed to properties within 185 feet on: October 21, 2016
Site posted notice on: October 21, 2016

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Attachments

Agency Comments
Public Comments

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1. Project Data and Facts

Project Data	
Applicant/Status	Vista Village, LLC/Owner
Applicant’s Representative	Rob Powell/Architect
Location of Property	Site Address
Size of Property	±7.39 Acres
Zoning (Proposed)	R-2D (Medium Density Residential with Design Review)
Comprehensive Plan Designation	Compact
Procedure	The Planning Commission makes a recommendation to City Council on the application.

Current Land Use
Describe the current land use and the amount of time it has remained vacant as zoned. (discern from aerials/site visit)

Description of Applicant’s Request
The applicant is seeking a rezone and conditional use permit for a 91-unit planned residential development comprised of five multi-family buildings and a clubhouse.

2. Land Use

Description and Character of Surrounding Area
The property is located east of the Vista Village shopping center, north of Kootenai Street, and west of the railroad tracks that run parallel to Federal Way. The surrounding neighborhood is comprised of a mix of single-family and smaller multi-family uses.

Adjacent Land Uses and Zoning

North:	Street or use / Zoning
South:	Street or use / Zoning
East:	Street or use / Zoning
West:	Single-Family Homes then Vista Village Shopping Center / R-1C (Single Family Residential) and C-2D (General Commercial with Design Review)

Site Characteristics
The site consists of a triangular shaped lot surrounded by railroad tracks on all sides. The primary access will be from Robert Street and a secondary access will be from Kootenai Street.

Special Considerations
Anything odd like floodplain or regional trails etc.

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3. Project Proposal

Site Design

Land Use	
Impervious Coverage:	11%
Pervious:	22%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces proposed:	143	Total parking spaces required:	119
Accessible spaces proposed:	5	Accessible spaces required:	3
Parking Reduction requested?	No	Off-site Parking requested?	No

Setbacks (Perimeter)

Yard	Building / Parking Required	Building / Parking Proposed
Front (Robert Street)	15' (Building) / 20' (Parking)	200' (Building) / 100' (Parking)
Side (north and south)	5' (Building) / 5' (Parking)	70'+ (Building) / 10' (Parking)
Rear (east)	15' (Building) / 15' (Parking)	70'+ (Building) / 62' (Parking)*

*Requires modification

Structure(s) Design

Number and Proposed Use of Buildings
5 multi-family buildings and 1 clubhouse
Building Height
33'10"
Number of Stories
2-3 stories

Amenities

Describe any amenities, delete this section if it doesn't apply.

4. Unified Development Ordinance (UDO)

Section	Description
11-03-04.3	Rezone
11-03-04.7	Planned Developments
11-04-03.1	General Purpose of Residential Districts
11-06-03.2	Multi-Family Living Uses
11-07-03	Off-Street Parking and Loading Standards
11-07-06.05	Planned Unit Development Standards

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5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Chapter 2-Citywide Vision And Policies	Principle NAC7.1 Principle CC1.1 Principle CC5.1(c)
Chapter 3-Community Structure And Design	Principle GDP-N.3(a) and (b) Principle IDP-C.1 Principle IDP-N.1(a)
Chapter 4: Central Bench Planning Area Policies	Principle CB-CCN3.2 Principle CB-CCN3.4(a)

In the following sections create a paragraph that considers the bulleted items

6. Analysis

Background and History

- Discuss the basics of the project in detail and any history of previous applications.
- Include any overarching discussions that have taken place between staff and the applicant such as design.

Compatibility

- The character of the neighborhood.
- The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses.
- The extent to which the proposed use will negatively affect the aesthetics of the property and neighboring property.

Adverse Impacts

- Development is designed, located and proposed to be operated so that the public health, safety and welfare will be protected;
- The extent to which the proposed use will seriously injure the appropriate use of, or detrimentally affect, neighboring property.
- The gain, if any, to the public health, safety and welfare due to approval of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.
- The extent to which the proposed use will create excessive storm water runoff, air pollution, water pollution, noise pollution or other environmental harm.

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Public Services In this section cite studies by date and preparer that prove infrastructure capacity. This is where Development Engineering's paragraph and relevant analysis from Michael Park goes.

- The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.
- The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
- The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property.
- Development will not impede the normal and orderly development and improvement of the surrounding property; and
- Development incorporates adequate ingress and egress and an internal street network that minimizes traffic congestion.

Unified Development Ordinance

- The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to this chapter.
- The consistency of the proposed use with the permitted uses and the uses subject to conditions in the district in which the proposed rezoning or special use is located.

Modifications

List the modifications and discuss in a narrative format if they meet A, B, C below.

- A. The development proposed by the preliminary development plan will provide sustainable value to the City,
- B. Incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent throughout the proposed project,
- C. Effectively utilize the land upon which the development is proposed, and further the goals, spirit and intent of this chapter.

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Comprehensive Plan

- The extent to which there is a need for the use in the community.
- The conformance of the proposed use to the Comprehensive Plan, the Major Street Plan, the Capital Improvements Plan, and other adopted planning policies.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO.

7. Recommended Conditions of Approval

1. Planning
 - a. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received September 27, 2016, except as expressly modified by Design Review or the following conditions:
2. Development Engineering
 - a. Stuff
3. Traffic
 - a. Comply with the TIA dated, August 1, 2019, prepared by Michael Park, City Traffic Engineer.
4. Fire
 - a. Comply with requirements of Central District Health Department.
5. Comply with the requirements of the Boise School District as outlined in comments dated **October 10, 2016**.

Standard Conditions of Approval

6. Building permit approval is contingent upon the determination that the site is in conformance with the Boise City Subdivision Ordinance. Contact Planning and Development Services at (208) 384-3830 regarding questions pertaining to this condition.
7. All landscaping areas shall be provided with an underground irrigation system. Landscaping shall be maintained according to current accepted industry standards to promote good plant health, and any dead or diseased plants shall be replaced. All landscape areas with shrubs shall have approved mulch, such as bark or soil aid.
8. Swales/retention/detention areas shall not be located along the streets, unless it can be shown that landscaped berms/shrubs will screen the swales.
9. In compliance with Title 9, Chapter 16, Boise City Code, anyone planting, pruning, removing or trenching/excavating near any tree(s) on ACHD or State right-of-ways must obtain a permit from Boise City Community Forestry at least one (1) week in advance of such work by calling (208) 384-4083. Species

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shall be selected from the [Boise City Tree Selection Guide](#).

10. Deciduous trees shall be not less than 2" to 2 1/2" inch caliper size at the time of planting, evergreen trees 5' to 6' in height, and shrubs 1 to 5 gallons, as approved by staff. All plants are to conform to the American Association of Nurseryman Standards in terms of size and quality.
11. Utility services shall be installed underground.
12. An occupancy permit will not be issued by the Planning and Development Services Department until all of these conditions have been met. In the event a condition(s) cannot be met by the desired date of occupancy, the Planning Director will determine whether the condition(s) is bondable or should be completed, and if determined to be bondable, a bond or other surety acceptable to Boise City will be required in the amount of 110% of the value of the condition(s) that is incomplete.
13. All amenities, landscaping, fencing, sidewalks and underground irrigation shall be installed or bonded for prior to the issuance of a building permit. For bonding, the applicant is required to provide a minimum of two bids for the amenities, landscaping materials and the installation. The bond shall be for 110% of the highest bid and submitted to the Subdivision desk on the 2nd floor of City Hall. For additional information, please call (208) 384-3830.
14. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his authorized representative and an authorized representative of Boise City. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise City.
15. Any change by the applicant in the planned use of the property, which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant, or successors of interest, advise Boise City of intent to change the planned use of the property described herein, unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.
16. Failure to abide by any condition of this conditional use permit shall be grounds for revocation by the Boise City Planning and Zoning Commission.
17. This conditional use permit shall be valid for a period not to exceed twenty four (24) months from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must acquire construction permits and commence placement of permanent footings and structures on or in the ground. The definition of structures in this context shall include sewer lines, water lines, or building foundations.
18. Prior to the expiration of this conditional use, the Commission may, upon written request by the holder, grant a two-year time extension. A maximum of two (2) extensions may be granted.
19. To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and

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weather protection may be performed at any time. After each floor of the structure or building is enclosed with exterior walls and windows, interior construction of the enclosed floors can be performed at any time.