

# City of Lee's Summit

## Department of Planning & Codes Administration

May 13, 2016

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director *RM*  
RE: **PUBLIC HEARING – Appl. #PL2016-039 – PRELIMINARY DEVELOPMENT PLAN  
– Summit Orchards, 701 NW Ward Road; Townsend Summit, LLC, applicant**

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### Commentary

The applicant proposes developing between 645,121 – 856,250 sq. ft. of multi-family residential, shopping center, office, educational, retail, restaurant, and elder care on 46.94 acres in five phases. The Concept Development Plan/Site Plan (Sheet AS100) indicates a total floor area of 645,121 sq. ft.; however, the Narrative (Sheet A1) indicates a maximum total floor area of 856,250 sq. ft. The traffic study only evaluated the 645,121 sq. ft. development depicted on the site plan. Additional information will be needed to evaluate development beyond this square footage.

Phase 1 is a 5-story 382,571 sq. ft. multi-family development to be located on 18.28 acres (Lot 3). Phase 2 is 40,900 sq. ft. of shopping center and restaurant to be located on 7.55 acres (Lot 4). Phase 3 is an additional 66,650 sq. ft. of shopping center and restaurant to be located on 8.48 acres (also on Lot 4). Phase 4 is a 3-story 50,000 sq. ft. office building to be located on 4.00 acres (Lot 1). Phase 5 is a 3-story 105,000 sq. ft. office building complex composed of three total buildings to be located on 7.98 acres (Lot 2). As a PMIX development, the applicant can propose development standards tailored to a specific project in order to provide greater flexibility and adaptability to the conditions of a site. The applicant has set the parameters for the maximum floor area, the maximum floor area ratio, and the maximum height under Table 2: Development Standards of the narrative included in this preliminary development plan. The development's parking standards for the proposed uses are defined in Table 3: Parking Standards.

The applicant proposes a material palette for the building exteriors that includes: stucco/synthetic stucco, cultured stone, cementitious panels, metal panels, masonry, glazing, concrete, and wood. A range of concept images has been provided to demonstrate what the various types of buildings may look like.

The applicant requests modification to the parking stall size; the 25% total floor area increase threshold for a substantial plan change; and the 10% density increase threshold for a substantial plan change. Staff supports granting the modifications to the total floor area and density increase thresholds. ~~Staff does not support granting a modification to the parking stall size requirement.~~ **(Removed by Staff)**

- 0.44 (avg.) floor area ratio (FAR) – 0.55 maximum permitted
- 63% impervious coverage – 80% maximum permitted
- 37% open space – 20% minimum required
- 2,097 parking spaces provided – 1,679 parking spaces required per the Alternate Parking Plan

### Recommendation

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

1. A modification shall be granted to allow for an increase in the total floor area of all non-residential buildings above the 25% allowed per Section 4.330 of the UDO, to allow up to a 33% increase, provided that the required number of parking spaces can be provided.
2. A modification shall be granted to allow for an increase in the total density of all residential buildings above the 10% residential density increase allowed per Section 4.330 of the UDO, to allow up to a 20% increase, provided that the required number of parking spaces can be provided.
3. Development shall be in accordance with the preliminary development plan date stamped April 8, 2016.
4. Development standards, including density, lot area, setbacks, shall be as shown on the preliminary development plan date stamped April 8, 2016.
5. The approved architectural styles, building materials and colors, shall be as shown on the building elevations date stamped April 8, 2016.
6. Architectural design standards shall be per the Summit Orchards Tenant Criteria Handbook date stamped April 5, 2016.
7. In lieu of a 5' sidewalk a 10-foot shared-use path shall be required along the north side of NW Chipman Road between NW Donovan Road and the UPRR prior to the issuance of any occupancy permit within Phase 1.
8. In lieu of a 5' sidewalk a 10-foot shared-use path shall be required along the north side of NW Chipman Road between NW Ward Road and NW Donovan Road prior to the issuance of any occupancy permit within Phase 2, Phase 3, Phase 4 or Phase 5.
9. Parking shall be provided per the alternate parking plan shown on the preliminary development plan.
- ~~10. Sheet C102 of the Preliminary Development Plan shall be revised to reflect the water line alignment presented in an email and exhibit dated March 31, 2016, to John Huss, P.E. In general, this alignment requires that: 1) an 8" water line be connected across NW Chipman Road at NW Donovan Road via boring and casing, 2) an 8" water line be extended along the future NW Donovan Road to the east side of NW Ward Road and connected to the existing 8" line, 3) the water line be extended along NW Chipman Road to the west side of NW Ward Road at the existing bored and cased location, 4) the abandonment of the existing north/south 8" water line on the east side of NW Ward Road to NW Tudor Road, and 5) connection of the existing 8" water line running east/west at NW Tudor Road to the west side of NW Ward Road via boring and casing. (Moved to the Code and Ordinance Requirements Box by Staff)~~
10. The Developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the road improvements recommended in the Transportation Impact Analysis form dated April 19, 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 Recorder's Office.
11. Two "L"-shaped monument sign (H7) with a sign area of up to 116 sq. ft. and a structure area up to 144 sq. ft., at the northeast corner of NW Ward Road and NW Chipman Road and the northwest corner of NW Chipman Road and NW Donovan Road shall be allowed. All other monument signs shall comply with the CP-2 sign standards.

12. A revised traffic study, sanitary sewer analysis and water demand analysis shall be evaluated if the non-residential total floor area is increased beyond the 25% allowed by Section 4.330 of the UDO, or the residential density is increased by more than the 10% allowed by Section 4.330 of the UDO. **(Added by Staff)**

## Project Information

**Proposed Use:** Multi-family, Office, Retail, Restaurants, Services, Educational/Institutional, and Elder Care Uses

**Land Area:** 18.28 acres (796,474 sq. ft.) – Phase 1  
7.55 acres (328,878 sq. ft.) – Phase 2  
8.48 acres (369,389 sq. ft.) – Phase 3  
4.00 acres (174,240 sq. ft.) – Phase 4  
7.98 acres (347,767 sq. ft.) – Phase 5  
**46.29 acres (2,016,748 sq. ft.) – Total**

**Building Area:** 382,571 sq. ft. – Multi-family (Lot 3) – Phase 1  
40,900 sq. ft. – Shopping Center/Restaurant (Lot 4) – Phase 2  
66,650 sq. ft. – Shopping Center/Restaurant (Lot 4) – Phase 3  
50,000 sq. ft. – Office (Lot 1) – Phase 4  
105,000 sq. ft. – Office (Lot 2) – Phase 5  
**645,121 sq. ft. – Total**

**FAR (floor area ratio):** 0.44 (avg.)

**Location:** NE corner of NW Chipman Road and NW Ward Road

**Zoning:** PMIX (Planned Mixed-Use District)

**Surrounding zoning and use:**

**North:** PI (Planned Industrial) and PMIX—KCP&L sub-station and approved Summit Innovation Campus development

**South (across NW Chipman Road):** R-1 (Single-Family Residential)—single-family residences

**East (across Missouri Pacific Railroad):** PI and CP-2 (Planned Community Commercial)—Office/Warehouse uses

**West (across NW Ward Road):** PMIX—Summit Technology Campus

## Background

- May 20, 1999 – The City Council approved the rezoning from PI (then M-1) to PMIX (then PUD) and the preliminary development plan (Appl. #1999-014) for the 333-acre Summit Technology Campus by Ordinance No. 4793. The plan included the site of the Summit Technology Campus, portions of Summit Fair, Summit Place, Summit Innovation Center, and the proposed Summit Orchards.
- August 24, 2006 – The City Council approved a rezoning (Appl. #2005-271) from CP-2 (Planned Community Commercial) and PMIX to PMIX and a preliminary development plan (Appl. #2005-272) for the Summit Fair shopping center by Ordinance No. 6262. The site encompasses 58.7 acres generally bounded by Chipman Road on the south, US 50 Hwy on the west and Blue Parkway on the east and north.

- December 12, 2006 – The Planning Commission approved the preliminary plat (Appl. #2006-230) of *Summit Fair, Lots 1-13 and Tracts A-F*.
- April 13, 2007 – A preliminary development plan application (Appl. #2007-073) was submitted to the Planning and Development Department for the proposed 725,240 sq. ft. Summit Fair Phase II shopping center development. The proposed Summit Fair Phase II site encompassed approximately 90 acres generally bounded by I-470 on the north, Ward Road on the south, Blue Parkway on the west and railroad right-of-way on the east. The application was withdrawn by the applicant prior to the application being considered by the Planning Commission or City Council.
- May 1, 2008 – The City Council approved the final plat (Appl. #2007-243) of *Summit Fair, 2<sup>nd</sup> Plat, Lots 8, 10-14 and Tract C* by Ordinance No. 6622.
- January 30, 2009 – The minor plat (Appl. #2008-181) of *Fleck, Lucy and Lilly, Lots 1 & 2* was recorded with Jackson County. Lot 1 is a 4.5-acre parcel that is the existing site of a KCP&L operations facility. Lot 2 is an undeveloped 1.0-acre parcel that will be incorporated into the Summit Place development.
- July 10, 2014 – The City Council approved a rezoning from PI to PMIX and preliminary development plan (Appl. #PL2011-119) by Ord. #7496. The Summit Place development is located on the west 43 acres of the 90-acre site previously proposed for Summit Fair Phase II.
- June 4, 2015 – The City Council approved a preliminary development plan (Appl. #PL2015-034) for approximately 38 acres comprising the Summit Innovation Center development, located at the northeast corner of NW Ward Road and the future NW Tudor Road extension, by Ord. #7637.

### Analysis of Preliminary Development Plan

The preliminary development plan has been analyzed based upon the data shown on the development plan sheets and the modifications requested in the narrative. The applicant has proposed “Development Plan Standards” in Table #2 of the narrative. These standards are the applicant’s intended maximums for any lot within this development.

**Substantial Change, Percent Increase in Density.** Modification requested. **Staff supports requested modification.**

- Proposed – The applicant proposes to allow for a 19.5% total increase in the density at the final development plan stage as described in the table below:

<b>Proposed Density (Table #1, Sheet A1)</b>	<b>10% Increase (Residential)</b>	<b>Maximum Density (Table #2, Sheet A1)</b>	<b>Requested Potential % Increase</b>
318 units (17.4 units/acre)	350 units (19.1 units/acre)	381 units (20.8 units/acre)	19.5%

- Required – Per Section 4.330 of the UDO, the most that total density (for residential buildings) may increase from an approved preliminary development plan to a final development plan is 10% without having to go back through the preliminary development plan process.

- Recommended – Staff supports the requested modification to the percent increase in total density as presented provided that the parking standards in the Alternate Parking Plan can be met.

**Substantial Change, Percent Increase in Floor Area.** Modification requested. **Staff supports requested modification.**

- Proposed – The applicant proposes to allow for a 54.7% total increase in the floor area at the final development plan stage as described in the table below:

<b>Proposed Floor Area (Sheet AS100)</b>	<b>25% Increase (Non-residential)</b>	<b>Maximum Floor Area (Sheet A1)</b>	<b>Requested Potential % Increase</b>
262,550 sq. ft.	328,188 sq. ft.	406,250 sq. ft.	54.7%

- Required – Per Section 4.330 of the UDO, the most that total floor area (for nonresidential buildings) may increase from an approved preliminary development plan to a final development plan is 25% without having to go back through the preliminary development plan process.
- Recommended – Staff supports the requested modification to the percent increase in total floor area as presented provided that the parking standards in the Alternate Parking Plan can be met.

**Monument Sign Area.**

- Proposed – The applicant proposes two monument sign elevations to represent the ten monuments shown on the site plan. H7 is a “L”-shaped monument sign shown to be located near the northeast corner of NW Ward Road and future NW Tudor Road on the site plan. The potential sign area for this sign is 116 sq. ft., with a structure area of 144 sq. ft. Monument sign H5 is a typical rectangular monument sign proposed for the other fiveeight monument sign locations. Its potential sign area is 72 sq. ft., with a structure area of 96 sq. ft. **(Corrected by Staff)**
- Required – Maximum sign area of 72 sq. ft. for sign area and 96 sq. ft. for structure area.
- Recommended – Staff supports the request to allow for two “L”-shaped monument signs to be located at the northeast corner of NW Ward Road and NW Chipman Road and at the northwest corner of NW Chipman Road and future NW Donovan Road with a sign area of up to 116 sq. ft. and a structure area up to 144 sq. ft. All other monument signs shall comply with the CP-2 sign standards.

**Alternate Parking Plan.** Article 12 of the UDO allows the number of parking spaces to be provided for a particular use or development to be established through approval of an Alternate Parking Plan, in lieu of the standard parking requirement table, in order to tailor the parking to the particular needs of the use or development.

The UDO requires the number of parking spaces shown below for the stated uses:

<b>Use</b>	<b>Spaces</b>	<b>Per</b>
Multi-family Residence	1	Efficiency or studio unit

	1.5	1 or 2 bedroom unit
	2	3 or more bedroom unit
Shopping Centers (excluding pad sites):		
25,000 – 399,999 sq. ft.;	5	1,000 sq. ft. of g.l.a.
400,000 – 599,999 sq. ft.;	4.5	1,000 sq. ft. of g.l.a.
600,000 sq. ft. +	4	1,000 sq. ft. of g.l.a.
College/University (instructional space)	10	Classroom
Technical College/Trade School	20	Classroom
Senior High School	6	Classroom
Places of Assembly	1	3 seats

The applicant proposes an Alternate Parking Plan to provide parking per page 6 of the applicant's narrative: 1.75 spaces per unit for the multi-family development; 4.5 spaces per 1,000 sq. ft. of building for the shopping center portion of the development; and 3 spaces per classroom for any education/institutional buildings. The proposed office and elder care uses will provide parking based on the UDO requirements of Article 12. Staff is supportive of the proposed Alternate Parking Plan as the numbers are consistent with the Summit Innovation Campus project and other recent developments.

### 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.*

#### **Public Works**

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 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 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).
3. All subdivision-related public improvements must have a Certificate of Final Acceptance prior to approval of the final plat, unless security is provided in the manner set forth in the City's Unified Development Ordinance (UDO) Section 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.
4. A Land Disturbance Permit shall be obtained from the Public Works Department 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.

5. All permanent off-site easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion. A certified copy shall be submitted to the City for verification.
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.
7. Sheet C102 of the Preliminary Development Plan shall be revised to reflect the water line alignment presented in an email and exhibit dated March 31, 2016, to John Huss, P.E. In general, this alignment requires that: 1) an 8" water line be connected across NW Chipman Road at NW Donovan Road via boring and casing, 2) an 8" water line be extended along the future NW Donovan Road to the east side of NW Chipman Road and connected to the existing 8" line, 3) the water line be extended along NW Chipman Road to the west side of NW Ward Road at the existing bored and cased location, 4) the abandonment of the existing north/south 8" water line on the east side of NW Ward Road to NW Tudor Road, and 5) connection of the existing 8" water line running east/west at NW Tudor Road to the west side of NW Ward Road via boring and casing.

#### **Fire**

8. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2012 International Fire Code.
9. IFC507.5.1—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.
10. 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: A hydrant is required within 100 feet of the FDC on all sprinklered buildings.
11. IFC 503.2.1—Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Action required: Aerial access fire lanes for the apartments and buildings over 30 feet in height shall be 26 feet in width.

#### **Planning and Codes Administration**

12. All exterior mechanical equipment, whether roof mounted or ground mounted, shall be entirely screened from view. Roof mounted equipment shall be screened by the parapet equal to the height of the mechanical equipment. Ground mounted equipment shall be screened by masonry wall or landscaping equal to the height of the units.
13. Sign permits shall be obtained prior to installation of any signs through the Department of Planning and Codes Administration. All signs proposed must comply with the sign requirements as outlined in the sign section of the UDO.

RGM/cs

Attachments:

1. Transportation Impact Analysis prepared by City Traffic Engineer, dated April 19, 2016—6 pages
2. Summit Orchards Traffic Impact Study, date stamped March, 2016—67 pages
3. Preliminary Development Plan, date stamped April 8, 2016—11 pages
4. Summit Orchards: Preliminary Development Plan Update, narrative submitted by Townsend Summit, LLC dated April 8, 2016—8 pages
5. Summit Orchards Tenant Criteria Handbook, date stamped April 5, 2016—69 pages
6. Location Map