



**LEE'S SUMMIT**  
MISSOURI  
Development Services Department

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## Development Services Staff Report

<b>File Number</b>	PL2023-069
<b>File Name</b>	PRELIMINARY DEVELOPMENT PLAN – Dental Depot
<b>Applicant</b>	Ashmore Investments, LLC
<b>Property Address</b>	1501 NE Rice Rd
<b>Planning Commission Date Heard by</b>	May 25, 2023 Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Planner
<b>Checked By</b>	Sue Pyles, PE, Development Engineering Manager Aimee Nassif, AICP, Deputy Director of Development Services

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### Public Notification

Pre-application held: February 7, 2023  
Neighborhood meeting conducted: April 18, 2023  
Newspaper notification published on: May 6, 2023  
Radius notices mailed to properties within 300 feet on: May 5, 2023  
Site posted notice on: May 5, 2023

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### Attachments

Transportation Impact Analysis prepared by, Susan Barry, P.E., PTOE, dated May 16, 2023 – 2 pages  
Preliminary Development Plan and Building Elevations, dated April 25, 2023 – 18 pages

Abridged Preliminary Storm Drainage Report prepared by Wallace Design Collective,  
sealed March 24, 2023 – 9 pages

Neighborhood Meeting Minutes, dated April 18, 2023

Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	Ashmore Investments, LLC/Developer
Applicant's Representative	Brian Ward
Location of Property	1501 NE Rice Rd
Size of Property	±1.32 Acres (57,596 sq. ft.)
Number of Lots	1
Building Area	6,070 sq. ft.
FAR	0.11
Zoning	CP-2 (Planned Community Commercial)
Comprehensive Plan Designation	Commercial
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the preliminary development plan. The City Council takes final action on the preliminary development plan in the form of an ordinance.</p> <p><b>Duration of Validity:</b> Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.</p>

Current Land Use
The subject 1.32-acre site is an undeveloped, platted, commercial lot at the northeast corner of NE Rice Rd and NE Mulberry Rd.

Description of Applicant's Request
<p>The applicant proposes a preliminary development plan for a single-story 6,070 sq. ft. dental office named Dental Depot. The proposed development employs a historic train depot/station architectural building aesthetic and includes decorative train-related features on the site such as a railroad crossing arm at the parking lot entrance, a water tower at the NE Rice Rd/NE Mulberry St intersection and a model train off the building's southwest corner. From a building materials standpoint, the building will have a brick base, cementitious fiber board body, fiberglass roof and some use of natural cedar wood posts. The decorative water tower will be constructed of natural cedar wood with a composition roof. The use of real wood as an exterior building material is subject to City Council approval as a conditional material.</p>

The applicant is also requesting a modification for additional wall signage and relief from the landscape buffer requirement. Pertaining to the sign modification, staff recommends providing some relief with changes to the request. The modification to the landscape buffer is for relief to inclusion of a 6 ft fence or wall along the eastern property line which staff is supportive of due to the steep grade changes. An analysis for both modification requests is located on page 9.

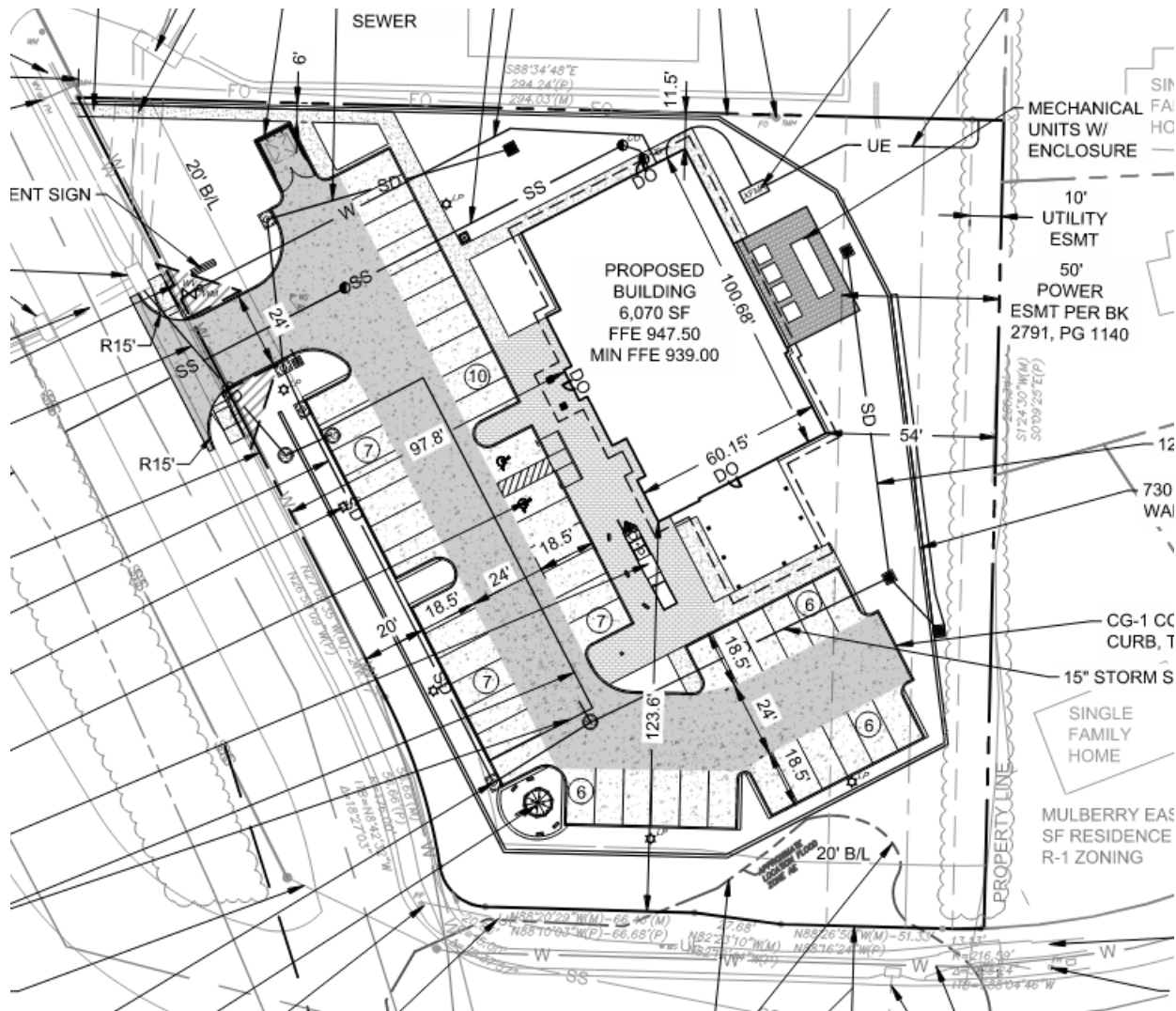


Figure 1 - Site plan

## 2. Land Use

### Description and Character of Surrounding Area

The site sits at the northeast corner of NE Rice Rd and NE Mulberry St. NE Rice Rd is a commercial frontage road along the east side of the M-291 Hwy corridor. NE Mulberry Rd is a collector street that serves as an access point from M-291 Hwy to NE Rice Rd, as well as an access point to the single-family residential area located east of NE Rice Rd.

### Adjacent Land Uses and Zoning

<b>North:</b>	Office-Commercial / CP-2
<b>South (across NE Mulberry St):</b>	Undeveloped City-owned property / CP-2; and Deer Valley Park / R-1 (Single-family Residential)
<b>East:</b>	Single-family Residential / R-1
<b>West:</b>	M-291 Hwy and NE Rice Rd

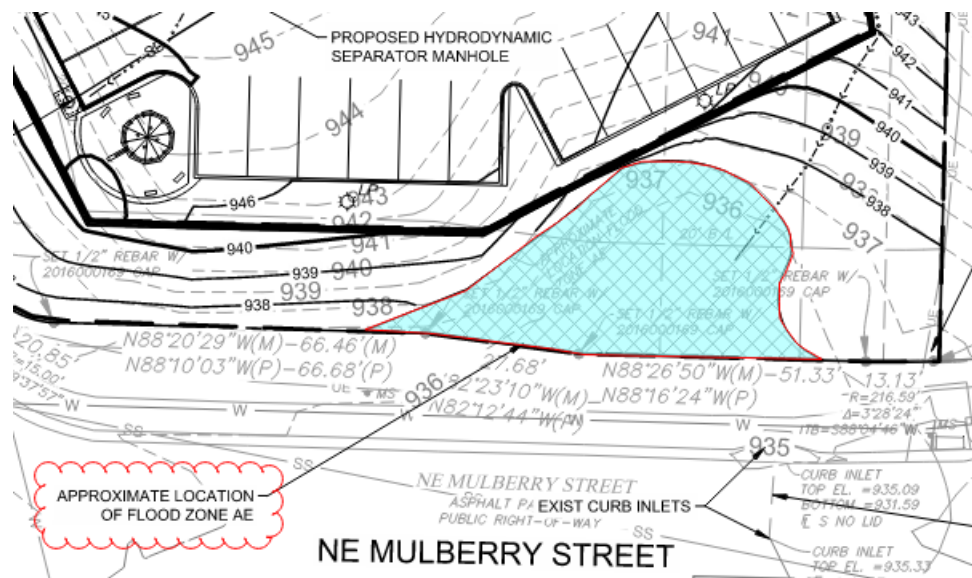
### Site Characteristics

The 1.32-acre site is heavily wooded along its east boundary where it abuts the Mulberry East single-family residential subdivision. The site has varying topography, but generally slopes from north to south with up to 30 feet of fall along the common property line shared with the abutting single-family residences.

While the site has frontage along both NE Rice Rd and NE Mulberry St., this proposed development will be served by a single point of access from NE Rice Rd.

### Special Considerations

The 100-year floodplain encroaches onto the site near the southeast property corner. No portion of the building or parking lot will be located within this 100-year floodplain boundary area.



### 3. Project Proposal

#### Site Design

Land Use	
Impervious Coverage:	55.0%
Pervious:	45.0%
<b>TOTAL</b>	<b>100%</b>

#### Parking

Proposed		Required	
Total parking spaces proposed:	49	Total parking spaces required:	31
Accessible spaces proposed:	2	Accessible spaces required:	2
Parking Reduction requested?	No	Off-site Parking requested?	No

#### Setbacks (Perimeter) - Building

Yard	Building Required	Building Proposed
Front (West)	15'	97.8'
Side (North and South)	10' – North; and 15' – South	11.5' - North; and 123.6' - South
Rear (East)	20'	54'

#### Setbacks (Perimeter) - Parking

Yard	Parking Required	Parking Proposed
Front (West)	20'	20'
Side (North and South)	6' – North; and 20' – South	14' – North; and 27' – South
Rear (East)	20'	20'

#### Structure(s) Design

<b>Number and Proposed Use of Buildings (Lot 1)</b>
1 building
<b>Building Height</b>
37' (building height); 21'-6" (water tower height)
<b>Number of Stories</b>
1 story

## 4. Unified Development Ordinance (UDO)

Section	Description
2.040,2.260,2.300,2.320	Preliminary Development Plans
4.190	Zoning Districts (CP-2)
8.890,8.900	Landscaping (Minimum Requirements)
2.320	Modifications

### Unified Development Ordinance

The proposed dental office is a use permitted by right under the existing CP-2 zoning district. The CP-2 District is established to provide a location for a full-range of retail and office development serving the general needs of the community.

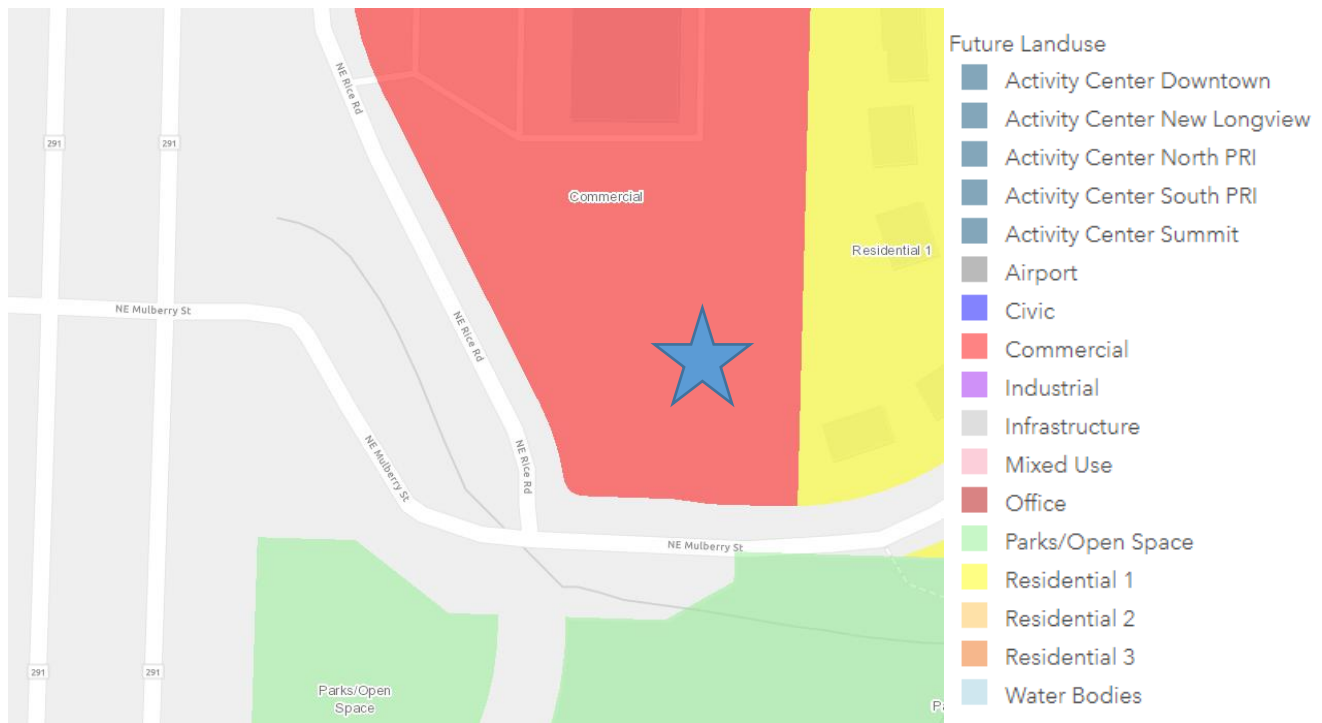
The proposed dental office use is consistent and compatible with the abutting office development to the north and is a lower intensity commercial use than other commercial uses permitted in this district. In addition, the hours of operation will be Monday – Friday from 8:00 am – 5:00 pm and Saturdays from 8:00 am to 2:00 pm.

## 5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Resilient Economy	Objective: Diversify Lee’s Summit economy. Objective: Increase business retention and grow business activity. Objective: Maintain a diverse and valuable tax base.

### Comprehensive Plan

The proposed dental office is consistent with the commercial land use designation recommended by the Comprehensive Plan along the M-291 Hwy corridor.



## 6. Analysis

### Background and History

- May 2, 1978 – The Board of Aldermen approved a rezoning (Appl. #1978-008) to rezone the subject property from R-1 to C-B (now CP-1) by Ordinance No. 1868.
- July 5, 1988 – The Board of Aldermen approved the final plat (Appl. #1988-138) titled *Gregory Estates, Lots 6-11* by Ordinance No. 3174. The subject property is Lot 11 of said plat.
- October 3, 1995 – The Board of Aldermen approved a rezoning (Appl. #1995-029) to rezone the subject property from C-B (now CP-1) to C-1 (now CP-2) by Ordinance No. 4180.

### Compatibility

The propose building will have a brick base, cementitious fiber board body, fiberglass roof and some use of natural cedar wood posts. The decorative water tower will be constructed of natural cedar wood with a composition roof. According to UDO Section 8.170, the use of real wood as an exterior building material is classified as a Conditional Material and only permitted on office buildings when it is compatible to surrounding buildings or residential districts and subject to Planning Commission and City Council review and approval. While the commercial shopping center to the north does not utilize wood as a primary building material, it is used throughout the residential district to the east.

As part of the train depot style and theme of Dental Depot, the weather vane will include a small train. There will also be a decorative model train located at the entrance of the building. At the southwest corner of the site will be a free-standing water tower approximately 20 ft in height. This will be made of the same building

materials as the main building and serves as an additional site themed structure. No signage or lighting will be permitted on this tower.

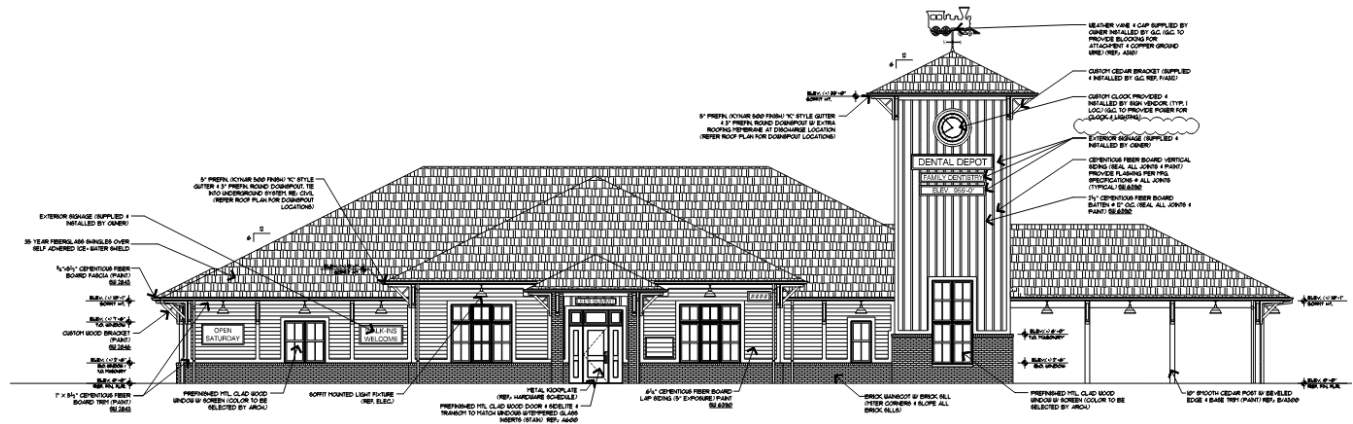


Figure 1 - Renderings of west exterior elevation

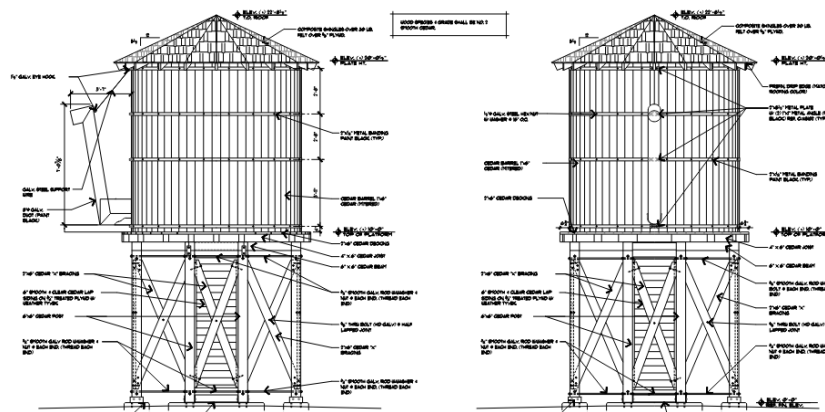


Figure 2 - Elevation of the decorative water tower

**Adverse Impacts**

The proposed development is not expected to detrimentally impact the surrounding area. Stormwater impacts will be mitigated through on-site underground detention. The underground detention system will be located under the proposed parking on the south side of the building. This site meets all lighting, access, and parking requirements of the Unified Development Ordinance.

**Public and Private Infrastructure Services**

The proposed development will not impede the normal and orderly development and improvement of the surrounding property. The subject site is the remaining undeveloped site located in the area with commercial existing to the north and residential existing to the east.



Sanitary sewer service for the site is provided by an existing 10" main located on the west side of NE Rice Rd. Access to water will come from an existing 12" main located on the west property line of the subject site.

Stormwater from the proposed development will be managed by an on-site underground detention system and will be designed to collect the stormwater runoff and direct it to the underground detention system. The area south and west of the retaining walls will drain to the street and be intercepted by the curb inlet at the low point in NE Mulberry Street.

### **Modification Requests**

#### **A. Landscape Buffer**

- **Required** – A 100 percent opaque screen between land uses that are dissimilar in character. When the proposed plan is in a commercially zoned district and adjacent to residentially zoned district, both of the following shall be installed within the 20-foot buffer yard: (1) a six-foot high masonry wall or opaque vinyl fence, (2) and low impact screening shall be planted on both sides of the wall or the fence.
- **Proposed** – The applicant has proposed to install the required landscaping screening vegetation without the required six-foot high masonry wall or opaque vinyl fence.
- **Recommendation** – The existing vegetation along the eastern property line of the subject property is heavy and mature. Tree plantings will consist of a mix of ornamental and evergreen trees plus shrubs. During the Neighborhood Meeting held on April 18, the only concerns with the proposed buffer to the east was with existing trees leaning and causing concern for a resident. The applicant has since addressed this concern and additional information may be found in the attached Meeting Minutes. Staff has no concerns with this modification request. Additional screening vegetation will be installed to increase the buffer density as well. Additionally, the subject property has a nearly 30' grade change from the south to the north. Given this grade change the installation of a 6' fence would be ineffective. For these reasons staff finds the requested modification to be reasonable.

#### **B. Additional Wall Sign Request**




- **Required** – A single-tenant building is allowed three (3) wall signs and one (1) monument sign per street frontage; maximum of 2.
- **Proposed** – The applicant has requested eight (8) total wall signs and one (1) monument sign.
- **Recommendation** – The applicant has proposed identical wall signs (identified as sign #A, #G, & #H below) on the north, south and west elevations of the tower element of the primary building. Additionally, the wall signs identified as sign as #B, #C and a portion of the monument sign convey the same messages. When looking towards the site from the MO 291/Rice Rd corridors 7 of the 8 proposed signs will be visible at any given time. There are no grade changes, deep setbacks, or other visibility issues that Staff has found. For these reasons, staff is not supportive of the requested number of signs. Staff is supportive of a modification for additional signage but not at the extent requested. Instead, Staff recommends the wall signs identified as #B, #C and #H be removed from


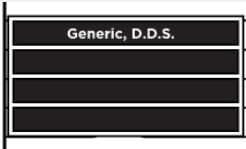

the proposed sign package and all other requested signs be permitted It is also important to note that there will not be any signage located on the freestanding water tower structure.

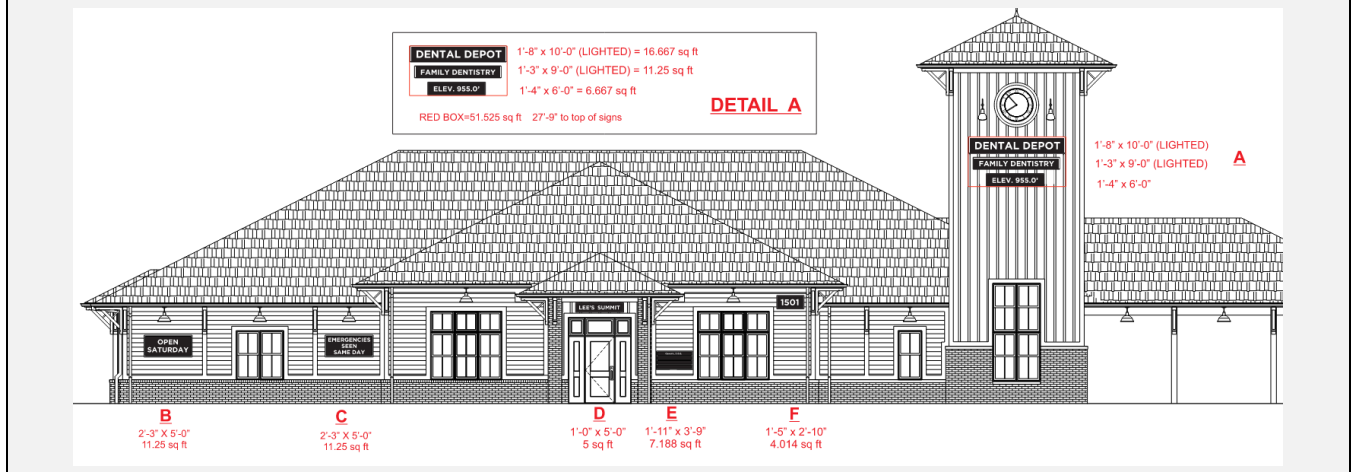
Wall Sign Standards

	Copy & Location	Letter Height	Sign Area	Number of Signs	Lighting
<b>UDO Standards (CP-2)</b>	--	6' (72") max.	10% of façade area – max. allowable sign area	3 by right per single-tenant building	External indirect, halo, or internal lighting


Proposed Wall Signs

West Elevation					
	Copy	Letter Height	Sign Area	Number of Signs	Lighting
<b>Wall Sign #A</b>		9"	117 sq. ft. (10% of façade area)	--	Internal lighting
<b>Wall Sign #B*</b>		6"	11.25 sq. ft. (4% of façade area)	--	No lighting proposed
<b>Wall Sign #C*</b>		4"	11.25 sq. ft. (4% of façade area)	--	No lighting proposed

<p><b>Wall Sign #D</b></p> 	<p>6"</p>	<p>5 sq. ft. (0.9% of façade area)</p>	<p>--</p>	<p>No lighting proposed</p>
<p><b>Wall Sign #E</b></p> 	<p>1"</p>	<p>7.2 sq. ft. (1.0% of façade area)</p>	<p>--</p>	<p>No lighting proposed</p>
<p><b>Wall Sign #F</b></p> 	<p>3.75"</p>	<p>4 sq. ft. (0.8% of façade area)</p>	<p>--</p>	<p>No lighting proposed</p>




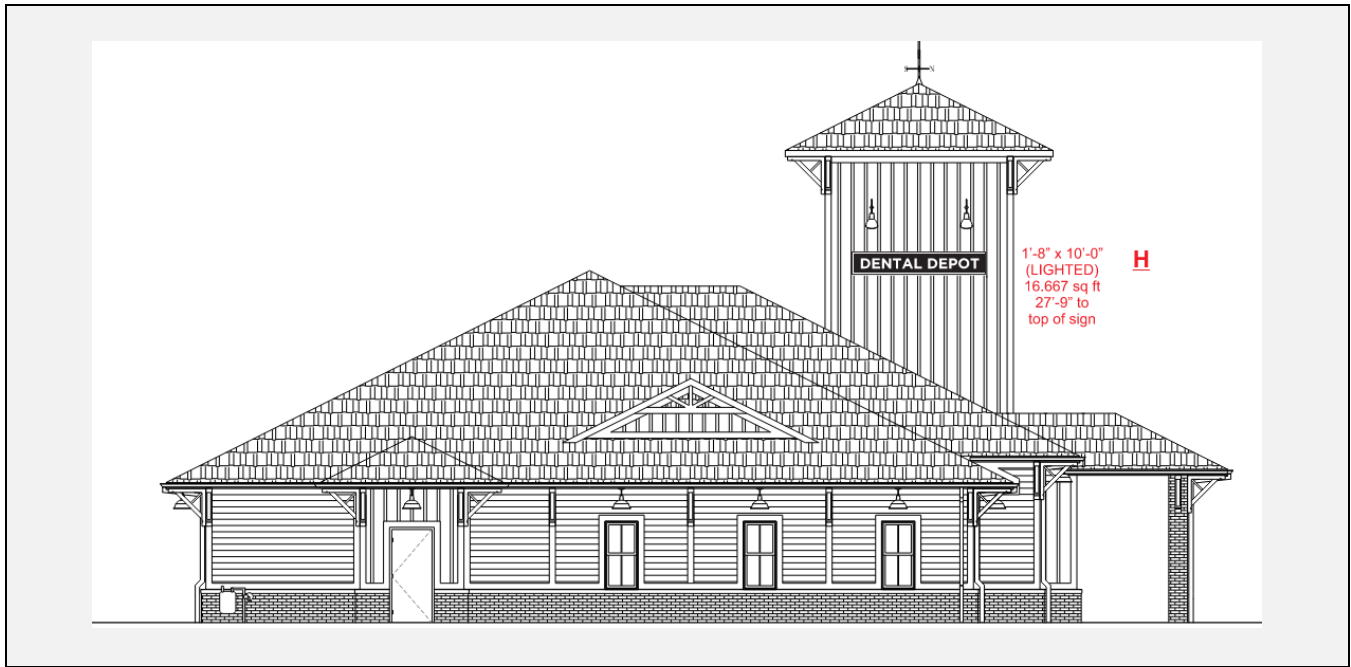
\*Not staff supported

South Elevation					
	Copy	Letter Height	Sign Area	Number of Signs	Lighting
<p><b>Wall Sign #G*</b></p> 		<p>9"</p>	<p>16.7 sq. ft. (3.7% of façade area)</p>	<p>--</p>	<p>Internal lighting</p>



\*Not staff supported

South Elevation					
	Copy	Letter Height	Sign Area	Number of Signs	Lighting
Wall Sign #H*		9"	16.7 sq. ft. (7.8% of façade area)	--	Internal lighting

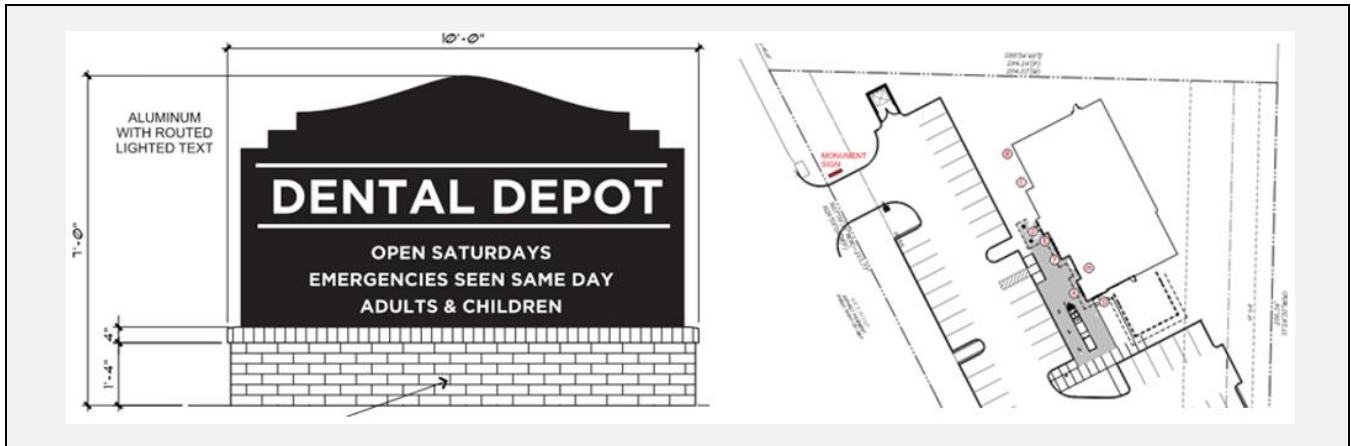


\*Not supported by staff

**Monument Sign Standards**

	Copy & Location	Letter Height	Sign Area	Number of Signs	Lighting
<b>UDO Standards (CP-2)</b>	--	6' (72") max.	72 sq. ft. sign face area 96 sq. ft. structure area	1 per street frontage; maximum of 2	External indirect, halo, or internal lighting

<b>Monument Sign</b>					
	Copy	Letter Height	Sign Area	Number of Signs	Lighting
<b>Monument Sign</b>		8.5"	53.4 sq. ft. Sign face area 70 sq. ft. structure area	--	Internal lighting



**Conditional Materials Requested**

- Proposed – The applicant has proposed the use of cedar wood siding as the main material for the proposed water tower element as well as various cedar trim and accent elements on the subject building.
- Required – Wood may be only used to provide compatibility to surrounding buildings or residential districts.
- Staff Recommendation –The applicant has stated the maintenance program for Dental Depot is to revisit the property every two years. During this revisit the cedar will be inspected and repairs will be conducted as needed. These repairs may include power washing, stripping of old stain, remediating organic growth and re-staining. The applicant has committed to maintaining the property in good condition and Staff is supportive of this request.



*Figure 3 –Example of the proposed decorative water tower*

**Recommendation**

With the conditions of approval below, the application meets the requirements of the UDO and Design & Construction Manual.

## 7. Recommended Conditions of Approval

### Site Specific

1. A modification shall be granted to eliminate the required six-foot high masonry wall or opaque vinyl fence from the high impact buffer requirement adjacent to the eastern property line.
2. A modification to the maximum of three (3) wall signs shall be granted to allow five (5) wall signs identified as signs #A, #D, #E, #F and #G on the sign specification sheets submitted and uploaded on April 25, 2023.
3. The use of cedar wood siding as the main material for the proposed water tower element as well as various cedar trim and accent elements on the subject building shall be approved as a conditional material in accordance with the building elevations dated April 10, 2023 and April 21, 2023.
4. Development shall be in accordance with the preliminary development plan dated April 25, 2023, and building elevations dated April 10, 2023 and April 21, 2023.
5. No signage or lights shall be located on the water tower located at the southwest corner of the subject site.

### Standard Conditions of Approval

6. 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.
7. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the associated engineering plans and prior to the issuance of any site development permits or the start of construction (excluding land disturbance permit).
8. 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 7.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Article 3, Division V, Sections 3.540 and 3.550 and Article 3, Division IV, Section 3.475 of the UDO, respectively.
9. A Land Disturbance Permit shall be obtained from the City if groundbreaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
10. 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 or approval of the final plat. A certified copy shall be submitted to the City for verification.
11. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
12. 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.

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 to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code.