



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

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## Development Services Staff Report

<b>File Number</b>	PL2023-196
<b>File Name</b>	COMMERCIAL REZONING WITH PRELIMINARY DEVELOPMENT PLAN & CONCEPTUAL PLAN - Downtown Market Plaza
<b>Applicant</b>	Lane4 Property Group,
<b>Location</b>	201, 205, & 220 SE Green St.; 205 & 208 Johnson St.; & 200 & 202 SE 3rd St.
<b>Planning Commission Date</b>	September 26, 2023
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Senior Planner

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### Public Notification

Pre-application held: N/A

Neighborhood meeting conducted: August 23, 2023

Newspaper notification published on: October 7, 2023

Radius notices mailed to properties within 300 feet on: October 9, 2023

Site notice posted on: October 6, 2023

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### Attachments

Transportation Impact Analysis by Susan Barry, PE, dated October 19, 2023 – 4 pages

Traffic Impact Study by Olsson, dated September 2023 – 72 pages

Lee's Summit Downtown Market PDP Drainage Study by Olsson, dated August 2023, revised September 2023 – 141 pages

Preliminary Development Plan, dated September 29, 2023 – 19 pages

Location Map

## 1. Project Data and Facts

Project Data	
<b>Applicant/Status</b>	Lane4 Property Group / Developer
<b>Applicant's Representative</b>	Weston Buckley
<b>Location of Property</b>	201, 205, & 220 SE Green St. 205 & 208 Johnson St. 200 & 202 SE 3rd St.
<b>Size of Property</b>	2.47 acres - Farmers Market 0.41 acres - Pad Site 1, hotel (conceptual) 0.23 acres – Pad Site 2, restaurant (conceptual) 0.97 acres – Pad Site 3, residential (conceptual) <b>4.0 acres (178,006 sq. ft.) Total</b>
<b>Number of Lots</b>	4 Lots
<b>Building Area</b>	17,271 sq. ft. (Farmers Market)
<b>Building Height</b>	32' (Farmers Market)
<b>Number of Buildings</b>	1 (Farmers Market)
<b>FAR (Floor Area Ratio)</b>	0.16 (Farmers Market)
<b>Zoning (existing)</b>	CP-2 (Planned Community Commercial)
<b>Zoning (proposed)</b>	CBD (Central Business District)
<b>Comprehensive Plan Designation</b>	Activity Center, Downtown
<b>Procedure</b>	<p>The Planning Commission makes a recommendation to the City Council on the proposed Rezoning and 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	
<p>The subject 4.0-acre property generally located between SE Green St &amp; SE Johnson St and SE 2<sup>nd</sup> St &amp; SE 3<sup>rd</sup> St. The lots at 200 SE Johnson St &amp; 200 SE 3<sup>rd</sup> St are vacant undeveloped properties. The properties at 202 SE 3<sup>rd</sup> St and 208 SE Johnson St. are currently occupied by parking lots. Vacant commercial structures are located at 201 &amp; 205 SE Green St. The structures were most recently occupied by an automotive repair facility, auction house and a boutique clothing sales business. Lee's Summit City Hall is located at 220 SE Green St.</p>	

**Description of Applicant's Request**

The applicant seeks approval of a rezoning from CP-2 to CBD and approval of a preliminary development plan (PDP) to construct a 17,271 sq. ft. four season farmers market/event space with a covered outdoor performance area. The applicant is proposing to remove SE Green St past the parking garage and convert the area to a pedestrian friendly walkable pavilion with amenities including public art, playground, shade structures, seating areas and programable passive & active activity areas.

The applicant has provided a conceptual layout for the pad sites. These include uses such as a hotel, restaurant and multi-family. As these pad sites are only shown as conceptual, no construction may occur on any such property until one or more preliminary development plans and final development plans have been approved in accordance with the UDO.

The existing buildings will be removed to make way for the proposed development. A strategic deconstruction will be undertaken to salvage architectural elements (keystone, timbers, etc.) of the 1896 stone Ice House. To honor the historic Ice House, the proposed farmers market building's architectural form draws inspiration from the historic roof line and building form. Proposed exterior materials will include brick, glass, cast stone, fiber cement panels, extruded aluminum and standing seam metal roof.

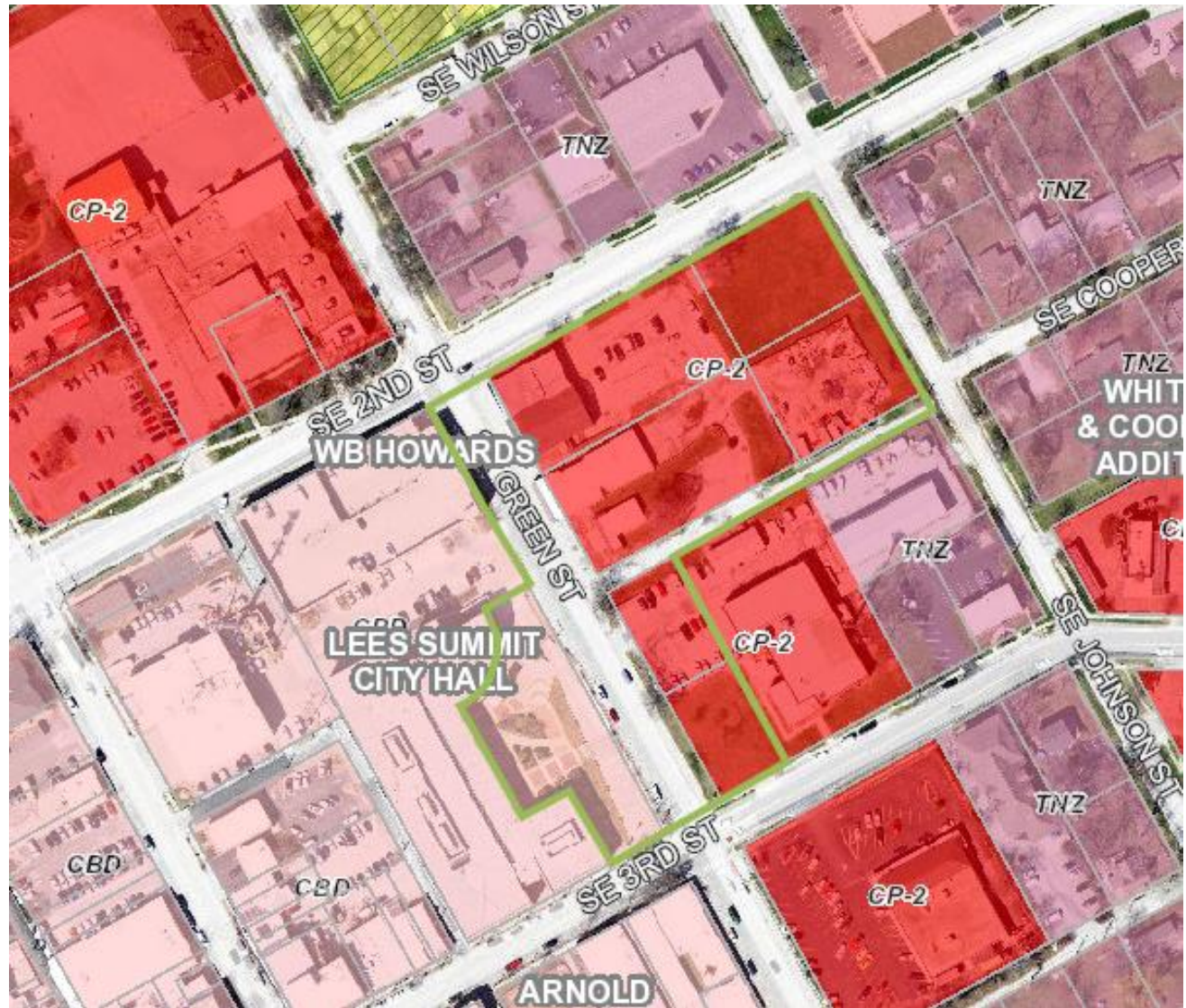
The applicant is seeking modifications to the design requirements for the downtown core and the minimum landscaping material requirements.



## 2. Land Use

### Description and Character of Surrounding Area

Offices and retail uses are located north of the property and are zoned TNZ. AT&T and Red Racks Thrift Store are located in the CP-2 zoned properties on the south of the subject site. TNZ zoned, single family homes are located east, across SE Johnson St. The CBD zoned Lee’s Summit City Hall is located to the west.



### Adjacent Land Uses and Zoning

<b>North (across SE 2<sup>nd</sup> St):</b>	Retail & Office / TNZ
<b>South (across SE 3<sup>rd</sup> St):</b>	Red Racks Thrift Store / CP-2
<b>East:</b>	Single Family Residential (across SE Johnson St) / TNZ AT&T / TNZ
<b>West:</b>	City Hall & City Hall Parking Garage / CBD

**Site Characteristics**

The site generally slopes from the south to the north. The subject properties exhibit the typical characteristics of urban infill lots with signs of past development. Existing buildings and parking lots are located on the properties. A large 72" underground stormwater pipe bisects the northern portion of the property (to be relocated with this project).



**Special Considerations**

The proposed PDP is subject to UDO Article 8, Subdivision 8 - Design Standards for the Downtown Core Area

## 2. Project Proposal

### Site Design

Land Use	
Impervious Coverage:	87%
Pervious:	13%
<b>TOTAL</b>	<b>100%</b>

**Parking for the proposed project**

Existing		Proposed New	
Parking garage at 200 SE Green St	314	Farmers Market Alley	18
Parking lot at 120 SE 3Rd St	17	Pad Site 1 Alley	7
Parking lot at 121 SE 3Rd St	58		
On street parking SE 3Rd St (SE Douglas St/SE Green St)	27		
On street parking SE Green St (SE 3rd St/SE 4th St)	31		
<b>Total</b>	<b>447</b>	<b>Total</b>	<b>25</b>

The existing 21 parking stalls on SE Green St, between SE 2<sup>nd</sup> and SE 3<sup>rd</sup> St will be removed to make way for the proposed Streetscaped Pavilion area. The loss of these stalls will be negated by the addition of 25 parking stalls in the proposed alley behind the Farmers market building and Pad Site 1, making for a net increase of 4 parking stalls. Additional parking for the subject project will be provided by utilizing existing public parking (parking garage, public parking lot & on street stalls). In addition to the 447 public parking stalls listed in the above table there are an additional 648 public parking stalls (parking garage, public parking lot & on street stalls) for a total of 1,095 public parking stalls within a 3 to 7-minute walk.

Employees from City Hall are the main users of the parking garage during weekday business hours. Patrons of the proposed Farmers market will be utilizing the parking garage largely on nights and weekends. Considering the complementary peak usage times between the uses in the area and the ample amount of public parking in the area a shared parking model is reasonable.

**Structure(s) Design**

<b>Number and Proposed Use of Buildings</b>
1 / farmers market & event space with an outdoor predominance area
<b>Building Height</b>
32'
<b>Building Size</b>
17,271 sq. ft.
<b>Number of Stories</b>
1 story
<b>Floor Area Ratio</b>
0.16 – proposed total FAR (1.0 max in the CBD zoning district)

**Setbacks (Perimeter)**

Yard	Required Minimum	Proposed
Front	Max. of 0—5' (Building)	4' 2' (west property line)
Side	None Required (Building)	22' 6" (east property line)
Rear	None Required (Building)	33'6" (north property line)

## 4. Unified Development Ordinance (UDO)

Section	Description
2.240, 2.250, 2.60	Rezoning
2.260,2.300	Preliminary Development Plan
2.400	Conceptual Development Plan
4.200	Zoning Districts
Sec. 8.440	Design standards—Commercial Core

### Unified Development Ordinance

The Planned Central Business District (CBD) was established to permit the most intensive use of land that combines a variety of commercial, office, residential and public uses. The district was designed to have uses that are centrally located and compact so that maximum convenience is afforded the users and occupants of the district. It was the intent of the CBD District to be pedestrian friendly. Should the subject rezoning and PDP be approved, the proposed project will meet the UDO requirements.

The proposed uses are consistent and compatible with uses in the surrounding CBD zoned properties in the immediate area.

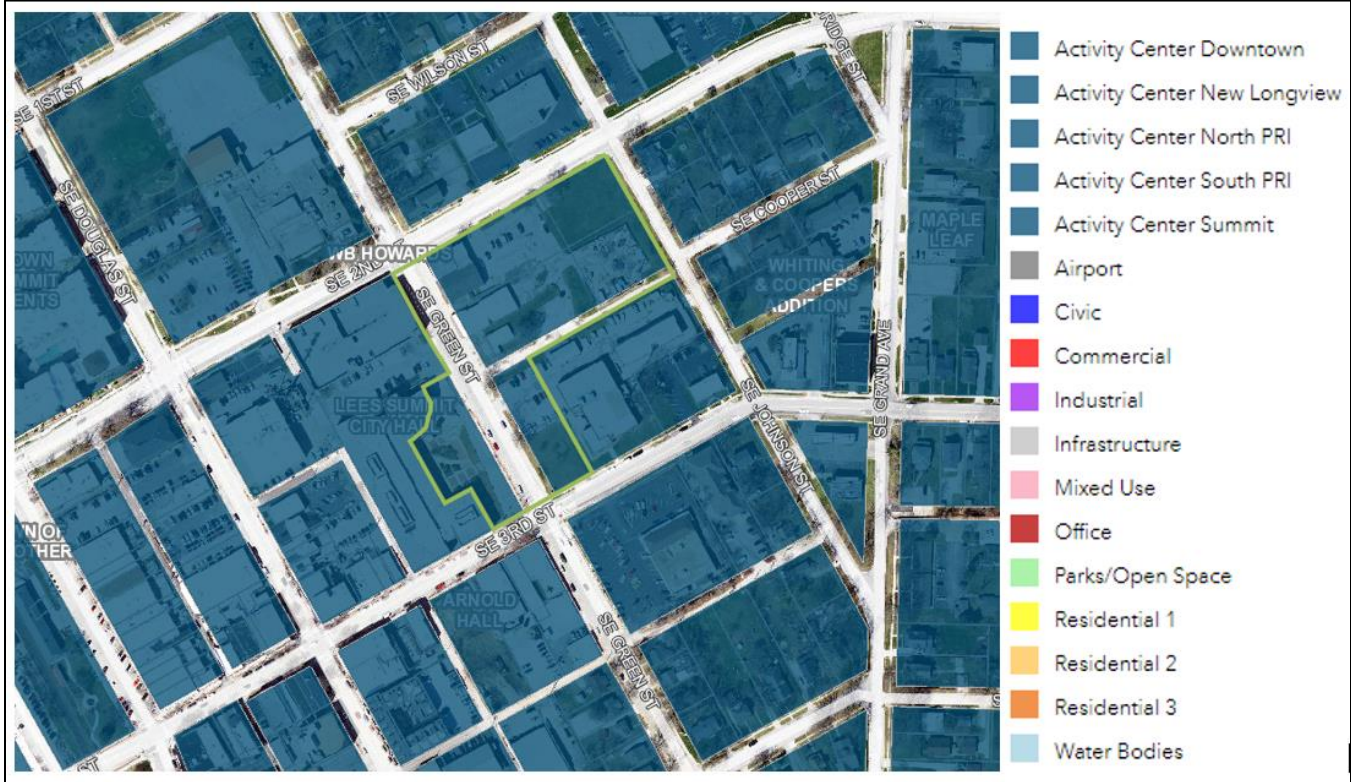


### **Neighborhood Meeting**

The applicant hosted a neighborhood meeting on August 23, 2023. Twenty-three (23) member of the public attended. An open house format was employed for the neighborhood meeting and the public was invited to provide written comments. The applicant reported no written comments were shared by attendees in the offered format.

## 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.
Land Use & Community Design	Objective: Plan for purposeful growth, revitalization and redevelopment.
Public Facilities, Infrastructure & Resiliency	Goal: Sustain and enhance City services and facilities to protect a high quality of life. Objective: Maintain high-quality service levels for existing and future customers.



To maintain a high quality of life for residents by continuing to invest in exceptional services and amenities to ensure the finest quality of life for all generations, the 2021 Ignite! Comprehensive Plan promotes retail employment success by concentrating people into high quality places with unique character. The proposed rezoning to Planned Central Business District (CBD) aligns with this established goal.

The CBD was established to permit the most intensive use of land that combines a variety of commercial, office, residential and public uses. The district was designed to have uses that are centrally located and compact so that maximum convenience is afforded to the users and occupants of the district.



It is the intent of the CBD District to be pedestrian friendly. The Comprehensive Plan land use map identifies the subject site's future recommended land use as Activity Center Downtown. The Downtown Activity Center promotes development that is characterized by their pedestrian-friendly nature and discourages auto-oriented uses. The Comprehensive Plan characterizes Downtown Lee's Summit as the traditional core and heart of the community and promotes walkable access to the amenities in downtown from the residents in nearby residential neighborhoods, with parking available to those that drive.

By advocating for additional public services and increasing housing options in the Downtown Activity Center the plan seeks to increase the ability for additional residents to live and work in Downtown, as well as increase patronage of local businesses, parks, and events. The proposed PDP took all these goals into account during the design and has strived to meet or exceed these goals.

The Comprehensive Plan establishes targets to help track the progress toward meeting the plan's projections, goals, objectives and community vision. One of these targets sets the goal of adding 950 acres of walkable amenities within the five established Activity Centers. While the proposed PDP is a small percentage of the overall goal, it represents a substantial step forward and will provide significant momentum on the way to achieving the established goal.

An additional target set forth in the Comprehensive Plan seeks to increase the number of visitors to Lee's Summit by 20% by 2040. The proposed PDP will provide additional services and entertainment opportunities to the community not currently found in the area. Not only will the citizens of Lee's Summit benefit from the proposed development but it will become a regional draw bringing in visitors from surrounding communities as well.

The Comprehensive Plan seeks to create a community that celebrates, welcomes, and supports cultural and recreation amenities. Parks, recreation, historical, and cultural resources are critical to achieving the finest quality of life and a safe, fun, and healthy environment. Established objectives for achieving this goal includes increasing the percent of residents within 1/2 mile of a park. The proposed PDP is meeting this goal by adding additional cultural, parks and recreational amenities within the Downtown area.



Cultural and historic resources enhance a community's attractiveness as a desirable place to live and work and can help give meaning to a building or area of town by providing a sense of place reminiscent of earlier periods in the City's history. Great detail was paid to the design and proposed materials used in the proposed farmers market building. Staff had many conversations with the design team and required the form of the building and materials be cohesive to the area and surrounding buildings.

Special consideration was given to preserving the context and integrity of the Ice House with additional resources expended to evaluate the feasibility of the existing structure. Not only was the structure evaluated by architects, and engineers but experts in the field of historic preservation were brought in as well. In addition to these efforts, outside parties were brought in to complete a 3d scan of the building all in an effort to preserve the context of the building for future use. Additionally, a strategic deconstruction will be undertaken to salvage architectural elements (keystone, timbers etc.) of the 1896 stone Ice House, again all in an effort to preserve the context of the building.



The character and main building material found in the DTLS area for commercial buildings is brick. The design of the proposed farmers market building takes this into account by incorporating brick as the principal façade material. Additionally, to honor the historic Ice House, the proposed farmers market building's architectural form draws heavy inspiration from the historic roof line and building form.

In a historic preservation context, when constructing new structures, it should never be the goal to recreate a building that looks old. Instead the design of the new buildings should take inspiration from the historic structures around it. The farmers market building does just this. The roof line of the upper section takes inspiration from the roof line of the stone Ice House. The roof line of the first level takes inspiration from the flat roof lines and parapet walls of the 1920's additions. Brick is the primary façade material taking inspiration from our utilitarian brick buildings found in DTLS. The art on the entrance is proposed to tie in with our farming past.

The proposed use is in harmony with the goals, objectives and existing land use designation of the 2021 Ignite! Comprehensive Plan. As proposed the PDP is providing a much-desired public service to the community & surrounding areas and for these reasons Staff supports the planned project.

## 6. Analysis

### Background and History

- June 14, 1867 – The subject property was platted as WB Howards 1<sup>st</sup> Addition.
- January 12, 1954 – The subject property was zoned “District B” (now CP-2) by Ord. #421.

### Compatibility

The building materials utilized in the design of the proposed building include a combination of brick, glass, cast stone, fiber cement panels, extruded aluminum and standing seam metal roof. The proposed building materials are compatible with the design and construction of existing buildings in the surrounding area and through the CBD district.



1 SOUTHWEST ELEVATION



2 NORTHEAST ELEVATION



3 NORTHWEST ELEVATION

**Adverse Impacts**

The proposed development will not detrimentally impact the surrounding area. The proposed project will provide for a much sought-after public service and will redevelop blighted and underutilized properties in the CBD district. The proposed use and development standards of the subject application are substantially similar to the surrounding commercial.

**Public Services**

The proposed development will not impede the normal and orderly development and improvement of the surrounding property. Water and sanitary sewer for the proposed development will utilize existing public water and sewer lines that are on or adjacent to the property.

**Modification Requests**

A. The applicant has requested a modification to UDO Sec. 8.440 Design standards—Commercial Core.

- Required – First and second floor elevations of street facing facades shall consist of brick.
- Proposed – Modify the Design Standards for the Downtown Core Area’s requirement that first and second floor elevations of street facing facades consist of brick, to allow for the façade on the second level to include the use of fiber cement panels, consistent with the elevations dated August 29, 2023.
- Recommendation – The applicant has stated in order to create a more dynamic façade, they included the use of fiber cement panels on the 2<sup>nd</sup> level of the proposed building. Additionally, the use of this material reduces the weight and structural load of the facade allowing for the design of the interior of the building to be more open and airier. The use of lap siding and cementitious wall panels is consistent to the style and materials used in the surrounding area. The requested modification is substantially similar to modifications granted to the Ellis Glen (PL2022-192) and DTLS Apartments (PL2018-234) developments. Staff finds the justifications to be reasonable and supports the requested modification.



3 NORTHWEST ELEVATION W/O CANOPY



4 SOUTHEAST ELEVATION W/O CANOPY

B. The applicant has requested a modification to UDO Sec. 8.750 - Acceptable plant materials.

- **Required** – The minimum plant sizes required to be used in satisfying the UDO landscaping requirements include;
  - Deciduous trees shall be a minimum of 3” caliper, measured at a point 6 inches above the ground or top of the root ball, at planting.
  - Evergreen trees shall be a minimum height of 8’ at planting.
- **Proposed** – The applicant proposes the following minimum plant sizes:
  - Deciduous shade trees shall be a minimum of 2.5” caliper.
  - Evergreen trees shall be a minimum height of 6’ at planting.
  - Deciduous ornamental trees shall be a minimum of 2” caliper
- **Recommendation** – The request for the reduced minimum plant sizes stems from the availability of locally sourced materials. The large plant sizes required by the UDO are not readily available in the local market. In addition to the scarcity, the larger plants do not survive the transplanting processes as well as the requested plant sizes. For these reasons staff finds the request modification reasonable and supports the requested modification.

**Building Materials.**

The applicant has requested the use of architectural metal panels and extruded aluminum siding. The Design Standards for the Downtown Core Area allow for the use of architectural metal or historic metal on facades not fronting on a street. The orientation of the proposed building has the entrance façade set back from SE Green St so that it is fronting the pavilion area. This alignment allows for the use of the proposed materials while meeting the Design Standards for the Downtown Core Area

As the quality of architectural metal building materials has improved, the use of said materials has increased in the areas of commercial and residential construction. The proposed metal materials are limited to the entrance of the farmers market building and will provide for a prominent gateway entrance into the facility. This proposed material is consistent with other approved developments in the City such as churches, car dealerships and the recently approved Fire Stations. Staff finds to use of the proposed materials to be appropriate and supports them as proposed.



### **Recommendation**

With the conditions of approval below, the application meets the goals of the Ignite! Comprehensive Plan, and requirement of the UDO and Design and Construction Manual (DCM).

## **7. Recommended Conditions of Approval**

### **Site Specific**

1. A modification shall be granted to the Design Standards for the Downtown Core Area's requirement that first and second floor elevations of street facing facades consist of brick, to allow for the façade on the second level to include the use of use of fiber cement panels, consistent with the preliminary development plan date stamped August 29, 2023.
2. A modification of UDO Sec. 8.750, Acceptable plant materials, shall be granted to allow deciduous shade trees to be a minimum of 2.5" caliper at planting, evergreen trees to be a minimum height of 6' at planting and deciduous ornamental trees to be a minimum of 2" caliper at planting.
3. Development shall be in accordance with the preliminary development plan dated August 29, 2023, and the elevations dated August 29, 2023.
4. Development shall be in accordance with the Transportation Impact Analysis dated October 19, 2023.

### **Standard Conditions of Approval**

5. 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.
6. 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).
7. 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.
8. Certain aspects of the development plan will be further reviewed during the Final Development Plan phase of the project. This includes detailed aspects of the design to help ensure that the plan meets the design criteria and specifications contained in the Design and Construction Manual.
9. 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).
10. IFC 304.3.3 - Dumpsters and containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet (1.15 m3)] or more shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines.
11. A plat shall be approved and recorded prior to any building permits being issued.