

City of Lee's Summit

Department of Planning & Codes Administration

September 30, 2016

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director *RM*
RE: **PUBLIC HEARING – Appl. #PL2016-135 – REZONING from AG and CP-2 to PMIX and PRELIMINARY DEVELOPMENT PLAN – Paragon Star, approximately 120 acres located at the northeast corner of NE View High Dr. and I-470; Paragon Star, LLC, applicant**

Commentary

The applicant proposes to rezone approximately 120 acres, located at the northeast corner of NE View High Drive and I-470, from AG (Agricultural) and CP-2 (Planned Community Commercial) to PMIX (Planned Mixed Use) for the development of a soccer complex consisting of 10 fields, a clubhouse and an auxiliary restroom and concessions building. A conceptual development plan has also been provided for a future fieldhouse and future mixed use village areas both north and south of the proposed private street, NW Paragon Parkway. The future development of the fieldhouse and mixed used village depicted on the conceptual development plan will require separate preliminary development plan approval as additional phases of the development are implemented. The subject undeveloped property is largely comprised of wooded and unwooded wetlands and floodplain, which will require permitting through the United States Army Corps of Engineers (USACE) prior to its development.

The applicant requests modifications to the minimum tree caliper size and to the height of athletic field light fixtures. Staff supports the requested modifications.

- 26.3% impervious coverage
- 73.7% open space
- 937 parking spaces provided

Recommendation

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

1. A modification shall be granted to the minimum caliper size requirement of 3 inches, to allow for 1.5 inches for the flowering/ornamental trees and 2–2.5 inches for the deciduous trees.
2. A modification shall be granted to the maximum mounted height of 70 feet for recreational lighting for soccer fields, to allow for a maximum mounted height of 80 feet.
3. Both Paragon Parkway and River Road shall be private streets.
4. A sound amplification system or any other noise caused by the operation shall not exceed sixty-five (65) decibels as measured at the property lines.
5. A total of 13 monument signs with overall sign areas of 90 square feet and structure areas of 138 square feet and electronic digital LED display board shall be allowed as depicted in the preliminary development plan date stamped August 23, 2016.

6. Development shall be as shown on the preliminary development plan date stamped August 23, 2016.
7. Approval of the preliminary development plan is only for the 10 soccer fields, clubhouse and auxiliary restrooms/concession building. Development of the conceptual development plan for the fieldhouse and mixed use village shall require preliminary development plan approval under separate application.
8. 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 dated September 9, 2016 **and water lines improvements described in GBA's letter, dated August 23, 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 Recordors' Office. **(Added by Staff at Planning Commission.)**
9. Use of the fields shall not be allowed until all required infrastructure has been constructed.

Project Information

Proposed Use: 10 field soccer complex with Clubhouse, auxiliary restrooms and concessions

Conceptually shown: future residential, commercial, and institutional uses to be reviewed and approved under separate preliminary development plan(s) and a future fieldhouse to be reviewed and approved under a separate preliminary development plan

Current Zoning: AG (Agricultural) & CP-2 (Planned Community Commercial)

Proposed Zoning: PMIX (Planned Mixed Use)

Land Area:

- 48.57 acres (2,115,709 square feet)—Lot 1
- 4.21 acres (183,387.6 square feet)—Lot 2
- 0.76 acres (33,105.6 square feet)—Lot 3
- 3.88 acres (169,012.8 square feet)—Lot 4
- 17.30 acres (753,588 square feet)—Lot 5
- 15.22 acres (662,983.2 square feet)—Tract A
- 2.06 acres (89,733.6 square feet)—right-of-way
- 27.78 acres (1,210,097 square feet)—unplatted County owned property
- 119.78 acres (5,217,616.8 square feet)—Total**

Number of Lots: 5 lots and 1 tract

Location: northeast corner of NE View High Drive and I-470

Surrounding zoning and use:

North: Kansas City, R-80 (Residential 80)—residential and agricultural uses

South (across I-470): AG (Agricultural) and R-1 (Single-Family Residential)—vacant undeveloped land and single-family residences in the Cedar Creek subdivision

East (across UPRR): AG—Jackson County owned property and a vacant undeveloped large lot

West: Kansas City, R-80—residential and agricultural uses

Background

- December 31, 1964 – The subject property was a portion of several properties annexed into the City of Lee's Summit.
- September 20, 1994 – The City Council approved a rezoning (Appl. #1994-002) from District A (Agricultural) to District C-1P (General Commercial, Planned) by Ord. #4045.
- October 20, 1998 – The City Council approved a final plat (Appl. #1995-172) of *Graham Commercial Center* by Ord. #4693. The plat was recorded at the Jackson County Recorder of Deeds Office by Instrument #1998I0084255 on October 23, 1998.
- November 1, 2001 – The Unified Development Ordinance (UDO) became effective and changed District C-1P to District CP-2 (Planned Community Commercial).

Analysis of Rezoning

Comprehensive Plan. The 2005 Lee's Summit Comprehensive Plan shows the area as commercial (office/retail), planned mixed use, and park/golf course/nature preserve. Most of the area currently zoned CP-2 is shown as commercial (office/retail); the remainder is shown as planned mixed use. The largest portion of this property is shown as planned mixed use, with outlying areas shown as park/golf course/nature preserve.

According to the City's Comprehensive Plan, commercial (office/retail) is "intended to accommodate commercial and service related activities"; and planned mixed use is "intended to accommodate a mix of retail, office, service and public uses with a complementary mix of residential development of varying densities". The proposed uses appear to fit well with the overall vision of the City's Comprehensive Plan.

Surrounding Uses. The surrounding properties are primarily large lot residential or agricultural.

Request. The applicant proposes to rezone 119.78 acres from AG and CP-2 to PMIX for the development of a soccer complex consisting of 10 fields, a clubhouse and an auxiliary restroom and concessions building. The PMIX District is intended to allow greater flexibility in development standards and allow for a greater mix of uses. As part of the PMIX zoning district designation, the applicant proposes a mix of uses for the property that includes residential, commercial, institutional and other (outdoor recreational facility). The conceptual plan for a future fieldhouse and "mixed use village" will require approval of preliminary development plans under separate application. The "mixed use village" is envisioned to include residential, commercial, and institutional uses.

Recommendation. Staff supports the requested rezoning to PMIX. The proposed use is compatible with the surrounding large lot residential/agricultural property. Additionally, the "future mixed use village" concept is compatible with the City's Comprehensive Plan.

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.

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 does not specifically list parking requirements for soccer fields. However, it does list "outdoor recreational facility" parking requirements to be "Determined by Director at plan approval". The applicant provided the following information in response to a request for a parking demand study or other data to establish the number of spaces required for this type of use:

"Midwest soccer complexes that are designed for tournament style play typically have a parking ratio of 75-90 parking spaces allocated per field. This development has a planned parking ratio of 94 spaces per field which exceeds the regional average. Locally, the Overland Park Soccer Complex has 93 spaces per field. The Swope Soccer Village located in Kansas City, Missouri has approximately 57 parking spaces per field."

Based on the above parking information provided by the applicant, the total of 937 parking spaces proposed to serve the soccer complex is in line with existing area facilities. However, staff has some concern over the parking lot layout and the manner in which traffic to and from the primary parking area is concentrated to a single point of access. Access to the 788-space parking lot located on the south side of the soccer fields is provided through a single roundabout with no alternate means of access. Having a lone point of access to the primary parking lot can compromise the efficient movement of traffic through this area during peak traffic events. It should be noted that the impacts of the current parking lot layout are internal to the proposed private development, and so have no immediate impact on the public street network. Staff will work with the applicant as the project moves forward in an attempt to improve parking lot access.

A second parking lot with 149 parking spaces is located on the west side of the soccer fields. This parking lot has two access points onto a proposed private street. Staff has no concerns regarding access to this parking lot.

Minimum Caliper Size. Modification requested. **Staff partially supports requested modification.**

- Required – The UDO requires a minimum caliper size of 3 inches for all deciduous trees per Section 14.050.A.4.
- Proposed – The applicant proposes a caliper size of 1.5-inches for all deciduous trees.
- Recommended – Staff is supportive of the requested modification to the caliper size for flowering/ornamental trees, but does not support 1.5-inches for all other deciduous trees. Staff would allow a minimum caliper size of 2-2.5-inches for the other deciduous trees.

Outdoor Recreation Lighting Height. Modification requested. **Staff supports requested modification.**

- Required – The UDO requires a maximum mounted height of 70 feet for soccer fields per Section 7.300.D.2.
- Proposed – The applicant proposed a mix of 70-foot and 80-foot tall lighting for the soccer fields.
- Recommended – Staff is supportive of the requested modification to the outdoor recreation lighting height.

Monuments, Size and Number.

- Required – The UDO allows a maximum of 1 freestanding sign per building with a maximum of 72 square feet for the sign face area and 96 square feet for overall structure area. However, the UDO also allows for larger and more signs to be approved as part of a preliminary development plan.
- Proposed – The applicant proposes a total of 13 monument signs located throughout the development, some within the rights-of-way and some that appear to have conflicts with the utilities. The proposed monuments consist of a 2' x 24' base (made of metal gabion baskets filled with recycled colored glass cobbles, with internal LED lighting) with a 6" separation from the 5' x 18' power coated metal sign panel and electronic digital LED display board, for an overall sign area of 90 square feet and structure area of 138 square feet.
- Recommended – Staff is comfortable with the number, size, and general location of the proposed monument signs due to the overall size of the development. The applicant has stated that those signs which appear to conflict with a utility line shall be adjusted and/or moved at the final development plan phase of review. Additionally, the applicant has stated that the number and location is to assist with wayfinding for the overall development and to accommodate views from both directions of vehicular travel.

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 United States Army Corps of Engineers (USACE) permitting requirements shall be followed concerning development within jurisdictional waters and/or wetlands of the United States.
2. 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.
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. 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 & Construction Manual.
5. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of any infrastructure permit or prior to the approval of the final development plan/engineering plans.
6. 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 engineering plans for off-site improvements. A certified copy shall be submitted to the City for verification.

7. Certain aspects of the development plan will be further reviewed during the final development plan and public infrastructure plan review 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 & Construction Manual.
8. 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 specification contained within the City's Design & Construction Manual.
9. A "No-Rise" certificate shall be prepared for any street crossing over Little Blue River, and all necessary floodplain development permits shall be obtained prior to any work within the regulatory floodplain or regulatory floodway. **In lieu of a "no rise" certificate, applicant may submit a CLOMR/LOMR to FEMA for evaluation. (Added by Staff at Planning Commission.)**

Fire

10. 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.
11. IFC 507.5.1 – Hydrants. 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: Indicate how this will be met for the North concession building.

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12. The main lighting of the facility shall be turned off no more than 60 minutes after the end of an activity or event. A low level lighting system shall be installed to facilitate patrons leaving the facility, cleanup, nighttime maintenance, etc.
13. Outdoor lighting shall be so designed that light sources are not visible from the property lines and include shields or cutoffs at the light source to redirect light away from the property lines.
14. All light fixtures/light poles shall be set back a minimum of one (1) foot for every foot in height from any residential property line and/or right-of-way.
15. 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 between 36 inches (3 feet) and 60 inches (5 feet) above the ground measured from the bottom of the sign, at the head of the parking space.
16. Sign permits shall be obtained prior to installation of any signs through the Department of Planning and Codes Administration. All proposed signs must comply with the sign requirements of Article 13 of the UDO.

RGM/cs

Attachments:

1. Transportation Impact Analysis prepared by Michael Park, dated September 9, 2016 – 4 pages
2. Paragon Star Development Traffic Impact Study Report by GBA, dated July 11, 2016 – 44 pages
3. Preliminary Development Plan with Preliminary Plat, date stamped August 23, 2016 – 28 pages
 - Cover Sheet – 1 page
 - Reference Plan – 1 page
 - Preliminary Plat – 1 page
 - Existing Conditions – 4 pages
 - Site Plan – 4 pages
 - Grading Plan – 4 pages
 - Utility/Dimension Plan and Overall Utility Plan – 6 pages
 - Landscape Plan – 4 pages
 - Elevations – 2 pages
 - Typical Sections – 1 page
4. Field Light Locations, date stamped July 1, 2016 – 1 page
5. Correspondence from Linda Hartman, date stamped September 1, 2016 – 4 pages
6. Location Map