

# City of Lee's Summit

## Development Services Department

August 10, 2018

TO: Planning Commission  
PREPARED BY: Jennifer Thompson, Planner  
CHECKED BY: Hector Soto, Jr., AICP, Current Planning Manager  
RE: **CONTINUED PUBLIC HEARING – Appl. #PL2018-081 – PRELIMINARY DEVELOPMENT PLAN – Kessler View, generally located at the intersection of SW Kessler Dr. and SW Fascination Dr.; Inspired Homes, LLC applicant**

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### Commentary

***After finalization and distribution of the Planning Commission packet for the July 24, 2018 meeting, the applicant's team submitted revised and corrected plan sheets in response to Staff's comments. Staff prepared a memo outlining the amended and recommended conditions of approval based on the newly received information, which was distributed at the July 24<sup>th</sup> Planning Commission meeting and is attached to this packet for reference. Also attached for reference is staff's original staff letter, dated July 22, 2018. Following the applicant's and staff's presentation, public testimony and discussion, this application was continued by the Planning Commission on July 24, 2018, to allow the applicant to meet with area residents to discuss the plan's latest iteration. A meeting was held August 7<sup>th</sup> with the area residents. Minutes from the meeting are attached.***

***Staff now presents a revised staff letter which accurately reflects the recommendations and conditions of approval based on the revised architectural and landscaping sheets that have been submitted by the applicant. The revised sheets are attached as part of this packet.***

This preliminary development plan is for *Kessler View*, a mixed use development generally located at the intersection of SW Kessler Drive and SW Fascination Drive. The plan is composed of a total of ten (10) lots and two (2) tracts. Seven (7) of the lots and one (1) tract are presently platted and are part of the *New Longview Commercial District* and *Fascination at New Longview Plats*. The remaining three (3) lots and one (1) tract will be platted at a future date. The total acreage of this development is approximately 12.88 acres.

The project covers three (3) general areas. One area consists of unplatted land proposed as three (3) lots and one (1) tract located on the east side of SW Kessler Dr., south of the existing Autumn Leaves Memory Care Facility and west of the *Bridlewood* single family subdivision. This area is approximately 5.79 acres and proposes a 10,000 sq. ft. daycare center and a 45-unit townhome development. Also proposed in this area is the westerly extension of SW Curry Dr., providing a planned connection to the *Bridlewood* subdivision.

The second area is encompassed by SW Longview Blvd. to the west, SW Fascination Dr. to the north and SW Kessler Dr. to the south and east, and is located on platted lots within the *New Longview Commercial District* surrounding the existing B&B Theater. Proposed uses for this area include office, retail and restaurant ranging between 1-3 story buildings. Also proposed just west of the B&B theater is a flexible-use space that features an outdoor entertainment venue.

The third area is located on the north side of SW Fascination Drive on platted lots within the *Fascination at New Longview* plat, located south of the existing CVS store, gas station, and McDonalds. Retail and office uses within 1-2 story buildings are proposed in this area.

In summary, the overall uses for the project include office, retail, a restaurant, a flexible event space, a daycare, and townhomes. The commercial buildings range from one (1) to three (3) stories and total approximately 165,163 square feet. The daycare is a 1-story building and is approximately 10,000 sq. ft. The residential portion is comprised of nine (9) 2-story townhome buildings with a total of 45 units.

The applicant proposes a material palette for the building exteriors that includes: brick, stucco, limestone, limestone panels, glass store fronts, aluminum window systems, metal panels, E.I.F.S, masonry, and painted concrete.

The parking needs for the office, retail, and restaurant portions are supported by the “shared parking model” that has been accepted for the “New Urbanism” concept in the New Longview area. However, as each lot develops, the parking needs will be evaluated at the final development plan stage for each site, and will be required to be in compliance with the shared parking model and/or the required need for parking for the use.

The area consisting of the daycare and the townhomes is not included within the shared parking model. These sites are designed to meet the onsite parking requirements of the UDO.

- 165,163 sq. ft. sq. ft. of commercial space
- 45 residential dwelling units
- 11.5 dwelling units/acre
- 1352 spaces required; 1094 parking spaces provided through the shared parking model

## Recommendation

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

1. Development shall be in accordance with the preliminary development plan dated July 3 and July 24, 2018.
2. Development standards, including density, lot area, setbacks, building separation, and impervious coverage shall be as shown on the plan.
3. The development shall be subject to the recommendations of the Transportation Impact Analysis report dated July 18, 2018.
4. Additional architectural detail shall be provided at the time of final development plan for Lot 1D, Building D, to break up the painted concrete.
5. Additional architectural detail shall be provided at the time of final development plan for Building A and B, to break up the amount of EIFS.
6. A modification shall be granted to the design of the required 20 foot wide high impact landscape screen along the eastern property line, to allow a 6’ vinyl fence to be placed on the western portion of the landscape buffer and all required landscaping material planted on the east side of the fence.

## Zoning and Land Use Information

**Location:** generally located at the intersection of SW Kessler Dr. and SW Fascination Dr.

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

**Surrounding zoning and use:**

**North:** PMIX (Planned Mixed Use District) — commercial/retail uses; drug store, gas station, fast food restaurant, memory care facility

**South:** PMIX (Planned Mixed Use District) — existing and proposed apartment complex, proposed townhomes

**East (across SW Kessler Drive):** PMIX (Planned Mixed Use District) — single family residential development *Bridlewood Subdivision*

**West (across SW Longview Blvd):** PMIX (Planned Mixed Use District) — office uses and apartment complex

**Site Characteristics.** The undeveloped property is surrounded by existing commercial and multi-family residential development of the New Longview development. An existing single-family residential development is located at the east boundary of the project site.

**Description and Character of Surrounding Area.** The subject property is generally located at the intersection of SW Kessler Drive and SW Fascination Drive, both on the east and west side of SW Kessler Drive. The property to the north, south, and west are zoned PMIX and are developed primarily as commercial, office, and multifamily uses. The property to the east is zoned R-1, and is developed as a single-family residential subdivision.

**Project Information**

**Current Use:** vacant, undeveloped property

**Proposed Use:** office, retail, restaurant, flexible use/event space, day care, and townhomes

**Land Area:**

- 1.31 acres (57,264 square feet)—Lot 1
- 3.03 acres (132,155 square feet)—Lot 2
- 0.84 acres (36,895 square feet)—Lot 3
- 0.02 acres (969 square feet)—Tract B
- 1.19 acres (51,713 square feet)—Lot 1A
- 0.75 acres (32,485 square feet)—Lot 1B
- 0.56 acres (24,473 square feet)—Lot 1D
- 2.03 acres (88,449 square feet)—Lot 1E
- 0.29 acres (12,697 square feet)—Lot 43
- 0.98 acres (42,882 square feet)—Lot 53
- 0.89 acres (38,928 square feet)—Lot 54
- 0.99 acres (43,231 square feet)—Tract A
- 12.88 acres (562,141 square feet)—Total**

**Building Area Commercial:**

- 10,000 sq. ft. – 1 story Daycare (Lot 1)
- 20,000 sq. ft. – 2-story office (Lot 1A)
- 9,000 sq. ft. – 1-story retail (Lot 1B)
- 8,000 sq. ft. –restaurant (Lot 1D)
- 52,500 sq. ft. – 3-story office (Lot 1E)
- 3,600 sq. ft. – 1-story retail (Lot 43)
- 35,000 sq. ft. – 2-story office/retail (Lot 53)
- 27,063 sq. ft. – 2-story office/retail (Lot 54)
- 165,163 sq. ft. – Total**

**Building Area Residential:**

Townhomes: 170,019 sq. ft. – Nine 2-story townhomes (Lots 2, 3, & Tract B)

**Total Number of Residential Units:** 45 units

## Public Notification

**Neighborhood meeting conducted:** July 17, 2018 and August 7, 2018

**Newspaper notification published:** July 7, 2018

**Radius notices mailed to properties within 185 feet:** July 2, 2018

## Process

**Procedure:** The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan. The City Council takes final action on the preliminary development plan application.

**Duration of Validity:** 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.

## Unified Development Ordinance

Applicable Section(s)	Description
4.300, 4.310, 4.320	Preliminary Development Plan
5.240	Zoning Districts

## Background

- October 3, 2002 – The City Council approved the rezoning (Appl. #2002-031) from AG, RP-1, RP-2, RP-3 and CP-2 to PMIX and the Conceptual Plan (Appl. #2002-032) for New Longview by Ordinance No. 5407.
- October 3, 2002 – The City Council approved the New Longview Preliminary Development Plan for the Arterial Traffic Network (Appl. #2002-081) by Ordinance No. 5408.
- September 4, 2003 – The City Council approved the preliminary development plan (Appl. #2003-062) for New Longview Tower Park, by Ordinance No. 5591.
- August 21, 2007 – The City Council approved the preliminary development plan (Appl. #2006-226) for New Longview Commercial Phase I, by Ordinance No. 6454.
- December 8, 2016 – The City Council approved the preliminary development plan (Appl. #2016-167) for New Longview Commercial Phase II, by Ordinance No. 8034.
- February 22, 2017 – A minor plat (Appl. #PL2017-007) for *Fascination at New Longview, Lots 1 & 2* was recorded at Jackson County Recorder of Deeds, by Document #2017E0016968.
- July 11, 2017 – A final development plan (Appl. #PL2017-022) for B & B Theaters located at 3241 SW Fascination Dr. was approved.
- March 15, 2018 – The City Council approved a vacation of right-of-way (Appl. #PL2018-013) was approved for portions of SW Longview Blvd. and SW Fascination Dr. The VROW was recorded at Jackson County Recorder of Deeds, by Document #2018E0026213.

- March 23, 2018 – The City Council approved a final plat (Appl. #PL2017-206) for *Fascination at New Longview, Lots 1A-1E & Tract*. The plat was recorded at Jackson County Recorder of Deeds, by Document #2017E0016968.
- April 20, 2018 – A final development plan (Appl. #PL2018-064) for Kessler Ridge Apartments was submitted for staff review. This application is pending approvals.
- June 29, 2018 – A final development plan (Appl. #PL2018-055) for Fascination North Lot 44, was conditionally approved for a retail building located at 3300 SW Fascination Dr.

## **New Longview Conceptual Plan**

In 2002, a conceptual plan was approved by City Council as the basis for which to request rezoning of approximately 266 acres for the development of New Longview. This plan has served as a guide for development in the New Longview area. An updated New Longview Conceptual Plan was provided and presented to City Council on July 9, 2015. The updated conceptual plan has also served as a guide as to how the remaining property would be developed. The updated conceptual plan shows the subject property as a mixed use development consisting of commercial and office uses. A residential component was not shown in this area, however, the proposed townhome project seems to be a compatible use with the adjacent existing residential property to the east.

## **Analysis of the Preliminary Development Plan**

**Kessler View.** The proposed uses include retail, office, a restaurant, day care, flexible event/use space, and townhomes.

The commercial buildings range from one (1) to three (3) stories and total approximately 165,163 square feet. The residential portion is comprised of nine (9) 2-story townhome buildings, with a total of 45 units.

Staff finds the proposed commercial and multi-family development to be appropriate for this site as the long term plan for this area is to be a commercial dominant mixed use development. The subject property is bordered by commercial and existing commercial development to the north and west, residential to the south and east, and an apartment development to the west.

### **Four-Sided Architecture.**

- The retail and office consists of five (5) 1-3 story buildings. The building materials include aluminum glass storefronts, brick with accents of a tower element, metal and painted cement board.
- The restaurant is a 1-story, 8,000 sq.ft. building featuring aluminum storefronts, glass overhead doors, with accents of painted concrete panels, brick, and metal.
- The day care center is a 1-story, 10,000 sq. ft. building primarily red brick, with stone wainscoting, forest green vinyl shutters, and asphalt shingles in a weathered wood color.
- The large office building is a 3-story, 52,500 sq. ft. building designed to recreate the look of a 1930's office building. It features large arched aluminum windows, limestone panels, glass curtain walls, and aged brick. An associated parking deck structure is also proposed and features faux limestone, brick veneer panels and framed concrete cutouts to offset the walls.
- The townhome buildings consist of nine (9) buildings and 45 units with front entry garages. The building materials are primarily proposed as vertical and horizontal hardi-plank, cultured stone and asphalt shingles. The townhomes feature front covered stoops, varying building

materials and colors between the units on all sides, and enhanced landscaping for the side elevations.

- The flexible use/event space area includes a raised stage with open-air pergola and overhead lighting mounted on a cable system.

**High Impact Buffer.**

A modification is requested to the design of the high impact landscape buffer along the east property line between the proposed townhomes and the single-family residential subdivision to the east. The applicant proposes a 20-foot wide high impact landscape screen along the eastern property line. A 6-foot vinyl fence will be placed on the western side of the landscape buffer, rather than centered within the 20-foot buffer. All required landscaping material will be planted on the east side of the fence, closest to the existing single family homes in Bridelwood. Staff supports the modification request.

**PMIX District.** The PMIX District is intended to allow greater flexibility in development standards, including density. The proposed residential density for this project is 11.5 dwelling units/acre. The proposed density is lower than allowed in a standard RP-4 zoning district. Staff is supportive of the proposed density. The table below compares the proposed density with that of other similar developments recently proposed and/or approved.

Project Name	Total Number of Units	Lot Acreage	Density
New Longview Commercial Phase Two, multi-family (proposed)	172	6.8	25.4 units/acre
Village at View High Apartments	312	21.3	14.6 units/acre
Residences at New Longview	309	15.5	19.9 units/acre
Manor Homes of Arborwalk	280	20.4	13.7 units/acre
New Longview Luxury Apartments	206	8.1	25.4 units/acre

**Parking.** Alternate Parking Plan proposed.

The applicant proposes a shared parking model for the overall parking needs of the Kessler View and the New Longview Commercial and Residential development. It allows parking to be shared among different buildings and facilities in an area to take advantage of different peak demands. The proposed parking for this development will utilize a combination of on-street parking (along SW Fascination, SW Longview Blvd., and SW Kessler Dr.), surface parking and covered garage parking. Parking is proposed to be completed in phases and as determined by market demand. The overall parking needs and parking inventory will be determined on a case by case basis when a final development plan is submitted for review.

A shared parking model table has been submitted illustrating the overall uses and parking needs for the Kessler View and New Longview Commercial Phase II development. Not included in this table are the day care lot and the townhome lot, as they are able to self-park.

Staff recommends approval of the shared parking plan. Shared parking takes advantage of the fact that most parking spaces are only used part time by a particular motorist or group, and many parking facilities have a significant portion of unused spaces, with utilization patterns that follow predictable daily, weekly and annual cycles. A shared parking strategy seems well suited for the New Longview mixed-use development area and is an accepted concept in the planning profession.

**Traffic.** The proposed development will likely generate more than 100 vehicle trips to the surrounding street system during any given peak hour. The surrounding street system has been planned and constructed to adequately accommodate the projected traffic impact of this development in consideration of the improvements listed in the access management section of the TIA report and/or recommendations of approval. A traffic study was completed by Olsson and Associates, dated July 19, 2018. Please refer to the Transportation Impact Analysis prepared by the City Traffic Engineer, dated July 18, 2018 for additional information.

**Livable Streets.** The proposed preliminary development plan includes all Livable Streets elements identified in the City's adopted Comprehensive Plan, associated Greenway Master Plan and Bicycle Transportation Plan, and elements otherwise required by ordinances and standards, including but not limited to sidewalk, shared-use path, network connectivity, landscaping, and accessibility. No exceptions to the Livable Streets Policy adopted by Resolution 10-17 have been proposed.

## 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.*

### **Engineering**

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 associated 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 City if ground breaking will take place prior to the issuance of an infrastructure permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
5. All ADA sidewalk ramps shall be constructed by the developer at the time the street is constructed.
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. All sidewalks adjacent to a common area tract, unplatted land or any land where no structure is intended to be built, and is required, shall be constructed by the developer at the time the street is constructed.

### **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. IFC 503.1.1 - Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where: 1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3. 2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
10. IFC 507.5.1 - 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.
11. The private drive shall be posted.
12. FC 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.

### **Planning**

13. Sign permits shall be obtained prior to installation of any signs through the Development Services Department.
14. A plat shall be required for the area with the proposed daycare and townhomes, prior to the issuance of a building permit.
15. A cross access agreement and or shared parking agreement shall be required prior to the issuance of an occupancy permit for the exiting lots and future lots.
16. All sidewalks shall have a minimum width of five (5) feet.

### Attachments:

1. Transportation Impact Analysis prepared by Michael K. Park, PE, PTOE, dated July 18, 2018 – 6 pages
2. Traffic Study submitted by Olsson Associates, date stamped July 19, 2018 – 40 pages
3. Preliminary Development Plan, date stamped July 3, 2018 – 17 pages
4. Memo to Planning Commission Packet, date stamped July 24, 2018 –1 page
5. Original Staff Letter dated July 22, 2018 – 9 pages
6. Revised Landscape Plan-medium impact buffer, date stamped July 24, 2018 – 1 page
7. Revised townhome layout reflecting front stoops, date stamped July 24, 2018 – 1 page
8. Office and parking structure elevation, date stamped July 24, 2018 –1 page
9. Day Care Elevation, date stamped July 24, 2018 –1 page
10. Revised Townhome Elevations, date stamped July 24, 2018 – 1 page
11. Townhome Landscape Elevations, date stamped July 24, 2018 – 2 pages



12. Shared Parking Model Table, date stamped July 12, 2018 – 1 page
13. Meeting Minutes from Neighborhood meeting, July 17, 2018 – 2 pages
14. Meeting Minutes from Neighborhood meeting, August 7, 2018 – 1 page
15. New Longview Concept Plan 2018 – 1 page
16. Location Map