

City of Lee's Summit

Development Services Department

December 7, 2018

TO: Planning Commission
PREPARED BY: C. Shannon McGuire, Planner
CHECKED BY: Hector Soto, Jr., AICP, Current Planning Manager
RE: **Public Hearing #PL2018-185 – PRELIMINARY DEVELOPMENT PLAN – Reece Nichols Phase 2, 207 SW Market St; Engineering Solutions, LLC, applicant**

Commentary

The applicant proposes a two-story 5,250 square foot commercial building at 207 SW Market Street. The first floor will be 2,625 square feet of retail space and the second floor will have two apartment units. The new building is proposed on the former City Hall site and is the second phase of the previously approved Reece Nichols Office project. The overall architectural design is consistent with the character and style of downtown. Proposed building materials include brick, glass and EIFS.

The applicant requests a modification to the minimum landscaping requirements. This same modification was granted for the first phase of the Reece Nichols Office project. Staff supports this requested modification.

- 5,250 square foot building
- 2,625 square foot retail space (1st floor)
- 2 residential apartments (2nd floor)
- 0.13 proposed overall FAR – 1.0 maximum allowed FAR

Recommendation

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

1. A modification shall be granted to the landscaping requirements of Article 8, to allow no landscaping for the development.

Zoning and Land Use Information

Location: *Location:* 207 SW Market St.

Zoning: CBD (Central Business District)

Surrounding zoning and use:

North: CBD (Central Business District) — Security Bank

South: CBD (Central Business District) — multi-tenant commercial/retail

East: CBD (Central Business District) — Historical Museum and site of the previously approved Reece Nichols Office building

West (across SW Market St): CBD (Central Business District) — Bridge Space co-work space

Site Characteristics. The undeveloped property is surrounded by existing commercial in the Central Business District. The former City Hall was located on this lot, 207 SW Market Street.

Description and Character of Surrounding Area. The subject property is located within the Central Business District and is within the boundaries of the Lee’s Summit Downtown Historical District. The surrounding buildings consist of 1 and 2 story brick buildings built between 1887 and 1950.

Project Information

Current Use: vacant, undeveloped property
Proposed Use: Commercial retail building and residential apartments
Land Area: 21,376.14 sq. ft. (0.49 acres)
Building Area: 5,250 sq. ft.

Public Notification

Neighborhood meeting conducted: December 11, 2018
Newspaper notification published: November 24, 2018
Radius notices mailed to properties within 185 feet: November 28, 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.
Duration of Validity: Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four 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
2.300, 2.310, 2.320	Preliminary Development Plan
2.200	Zoning District Regulations
8.790, 8.800	Landscaping Regulations

Comprehensive Plan

Focus Areas	Goals, Objectives and Policies
Economic Development	Objective 2.2 Objective 2.3
Overall Area Land Use	Objective 1.1 Objective 1.2 Objective 1.4

Commercial Development	Objective 4.1 Objective 4.2 Objective 4.3
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Background

- October 1, 2007 – The City executed a real estate sales contract to sell the property at 207 SW Market Street and a portion of the property at 220 SW Main Street (now 222 SW Main Street) to Tustin, LLC.
- October 16, 2007 – The City Hall addition at 207 SW Market Street was demolished (Building Permit #B0702002).
- February 20, 2008 – The minor plat of *Dahmer Development, Lots 1-3* was recorded by Jackson County (Instrument #2008E0018991).
- May 15, 2008 – The City Council approved a preliminary development plan for Market Street Lofts by Ordinance No. 6628. The PDP expired on August 21, 2011, due to no final development plan being submitted within three (3) years of the preliminary development plan approval.
- October 2, 2018 – The City Council approved a preliminary development plan for Reece Nichols Real Estate Office by Ordinance No. 8471.

Analysis of Preliminary Development Plan

Landscaping. Modification requested. **Staff supports the requested modification.**

- Required – 1 street tree per 30 feet of street frontage plus 1 shrub per 20 feet of street frontage; and 1 tree and 2 shrubs per 5,000 sq. ft. of open yard lot area
- Proposed – No landscaping
- Recommendation – Staff supports the modification to the minimum landscaping requirements. The landscape requirements of the UDO were established to suit suburban style development with generous setbacks filled by large, open landscaped areas. The landscape requirements do not suit dense urban developments with little to no setbacks and open space.

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. 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.

Fire

6. 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.
7. 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.
8. 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.
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).

Planning

10. All mechanical equipment and service areas shall be screened in accordance with the site design standards as outlined in Article 8, Section 8.180.E of the Unified Development Ordinance.
11. All exterior lighting shall be in compliance with the lighting standards as outlined in Article 8, Division I of the Unified Development Ordinance.
12. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All proposed signs must comply with the sign requirements of Article 9 of the UDO.

Attachments:

1. Transportation Impact Analysis prepared by Michael Park, dated December 4, 2018—2 pages
2. Preliminary Development Plan, date stamped, November 19, 2018 — 4 pages
3. Modification Request Letter, date stamped, November 19, 2018 – 1 page
4. Street View Rendering – 1 page
5. Location Map