



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

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## Development Services Staff Report

<b>File Number</b>	PL2022-159
<b>File Name</b>	REZONING from CP-2 to PI and PRELIMINARY DEVELOPMENT PLAN
<b>Applicant</b>	Engineering Solutions, LLC
<b>Location</b>	950 NE Pollard St
<b>Planning Commission Date</b>	July 14, 2022
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	Hector Soto, Jr., AICP, Senior Planner
<b>Checked By</b>	Kent Monter, PE, Development Engineering Manager

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### Public Notification

Pre-application held: February 1, 2022  
Neighborhood meeting conducted: June 16, 2022  
Newspaper notification published on: June 4, 2022  
Radius notices mailed to properties within 300 feet on: June 3, 2022  
Site posted notice on: June 3, 2022

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### Attachments

Transportation Impact Analysis prepared by Brad Cooley, P.E., dated June 16, 2022 – 2 pages  
Rezoning Exhibit and Legal Description, dated April 21, 2022

Preliminary Development Plan, revised date May 23, 2022 – 8 pages

Colored Building Elevations, dated May 24, 2022

Macro Storm Water Drainage Study, dated May 23, 2022 – 19 pages

Neighborhood Meeting Notes, dated July 5, 2022

Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions, LLC / Applicant
Applicant’s Representative	Matt Schlicht, P.E.
Location of Property	950 NE Pollard St
Size of Property	±1.31 Acres (56,990 sq. ft.)
Number of Lots	1
Building Area	9,750 sq. ft.
Floor Area Ratio (FAR)	0.17 (1.0 max FAR in PI district)
Zoning (Existing)	CP-2 (Planned Community Commercial)
Zoning (Proposed)	PI (Planned Industrial District)
Comprehensive Plan Designation (Existing)	Commercial
Comprehensive Plan Designation (Proposed)	Industrial
Procedure	<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 rezoning and preliminary development plan in the form of an ordinance.</p> <p><b>Duration of Validity:</b> Rezoning approval by the City Council shall be valid upon approval and has no expiration.</p> <p>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 property is the last undeveloped lot in the Clover Acres subdivision.

Description of Applicant’s Request
The applicant proposes to rezone the subject property from CP-2 to PI and includes a preliminary development plan for a proposed 9,750 sq. ft. office/warehouse building on the 1.31-acre site. A specific user has yet to be determined for the site.

A modification is sought to not require construction of a 54' segment of the required sidewalk along NE Pollard St from the eastern driveway to the eastern property boundary. The applicant further requests that payment in lieu of construction of said sidewalk portion also not be required. Staff supports not requiring construction of the sidewalk segment, but does not support waiving payment in lieu of construction.

## 2. Land Use

### Description and Character of Surrounding Area



The subject property is a second-tier lot located east of NE Rice Rd, approximately 900 feet south of NE Colbern Rd. The site sits in an area bordered by commercial and institutional uses to the west, north and east; and industrial to the south.

### Adjacent Land Uses and Zoning

<b>North:</b>	Commercial building and church/CP-2
<b>South (across NE Pollard St):</b>	Industrial/PI
<b>East:</b>	LS R-7 School District property (former Paradise Park)/CP-2
<b>West:</b>	Commercial/CP-2

### Site Characteristics

The site generally slopes from southwest to northeast. The undeveloped site has been used to stockpile soil.

### Special Considerations

None.

## 3. Project Proposal

### Site Design

Land Use	
Impervious Coverage:	53.1%
Pervious:	46.9%
<b>TOTAL</b>	<b>100%</b>

**Parking for the proposed project**

Proposed		Required	
Total parking spaces proposed:	30	Total parking spaces required:	28
Parking Reduction requested?	No		
Off-site Parking requested?	No		

**Building Setbacks (Perimeter)**

Yard	Existing CP-2 zoning standard	Proposed PI zoning standard	Proposed Building
Front	15'	20'	75'
Side	10'	10'	74' (west); 121' (east)
Rear	20'	20'	20'

**Parking Setbacks (Perimeter)**

Yard	Parking	Parking Proposed
Front	20'	21'
Side	6'	11' (west); 57' (east)
Rear	6'	22'

**Structure(s) Design**

<b>Number and Proposed Use of Buildings</b>
1 building / office-warehouse
<b>Building Height</b>
22'-6"
<b>Number of Stories</b>
1 story

**4. Unified Development Ordinance (UDO)**

Section	Description
2.240,2.250,2.260	Rezoning
4.080	Zoning District (PI)
2.040,2.260,2.300,2.310,2.320	Preliminary Development Plans

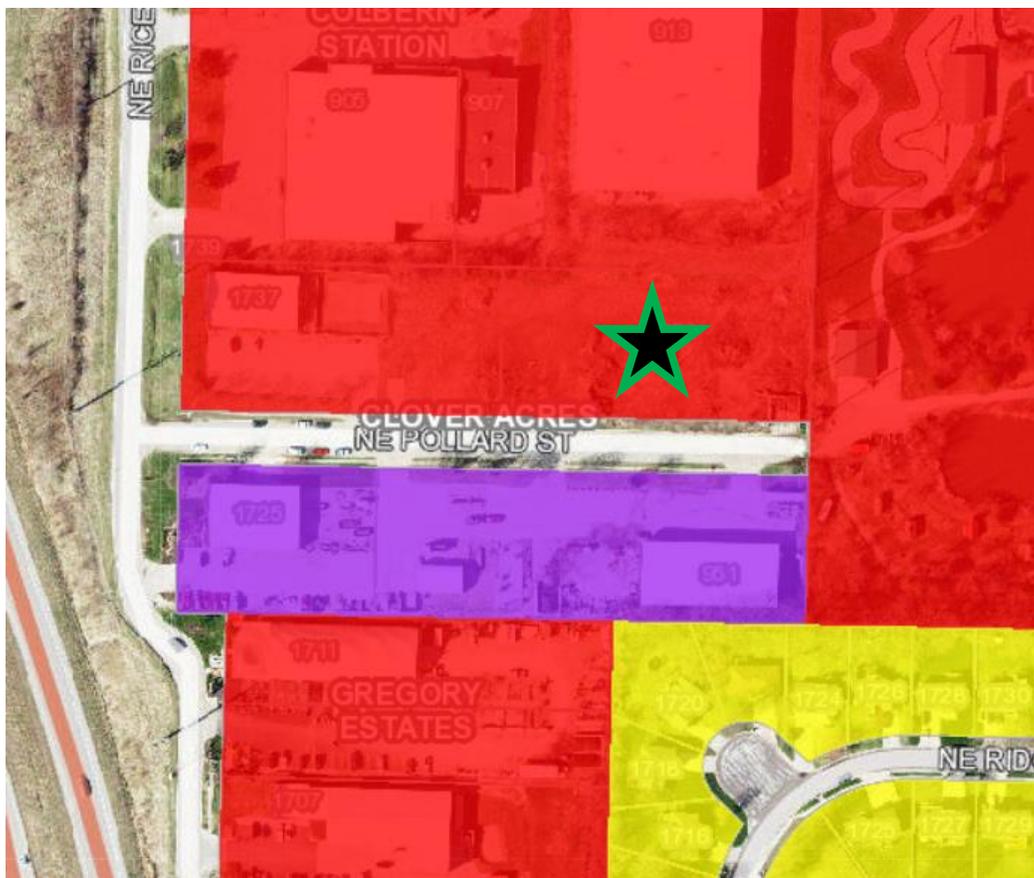
The applicant proposes an office/warehouse building that will be subject to the PI regulations in the UDO. Office/warehouse, manufacturing, distribution and general warehouse uses are allowed by right in the proposed PI zoning district.

## 5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Resilient Economy	Goal 3.3. A

### Comprehensive Plan

The future land use map identifies the area as Commercial. The Commercial category is designed to accommodate a range of retail, office, service, and public/institutional uses. A change in the land use designation to Industrial will be sought to accompany the proposed PI zoning. The proposed PI zoning will accommodate industrial uses that include manufacturing, warehousing, industrial services and some office uses. The proposed PI zoning and Industrial land use designation is consistent with existing uses, zoning and Comprehensive Plan land use designation to the south.



- Commercial
- Industrial
- Residential 1

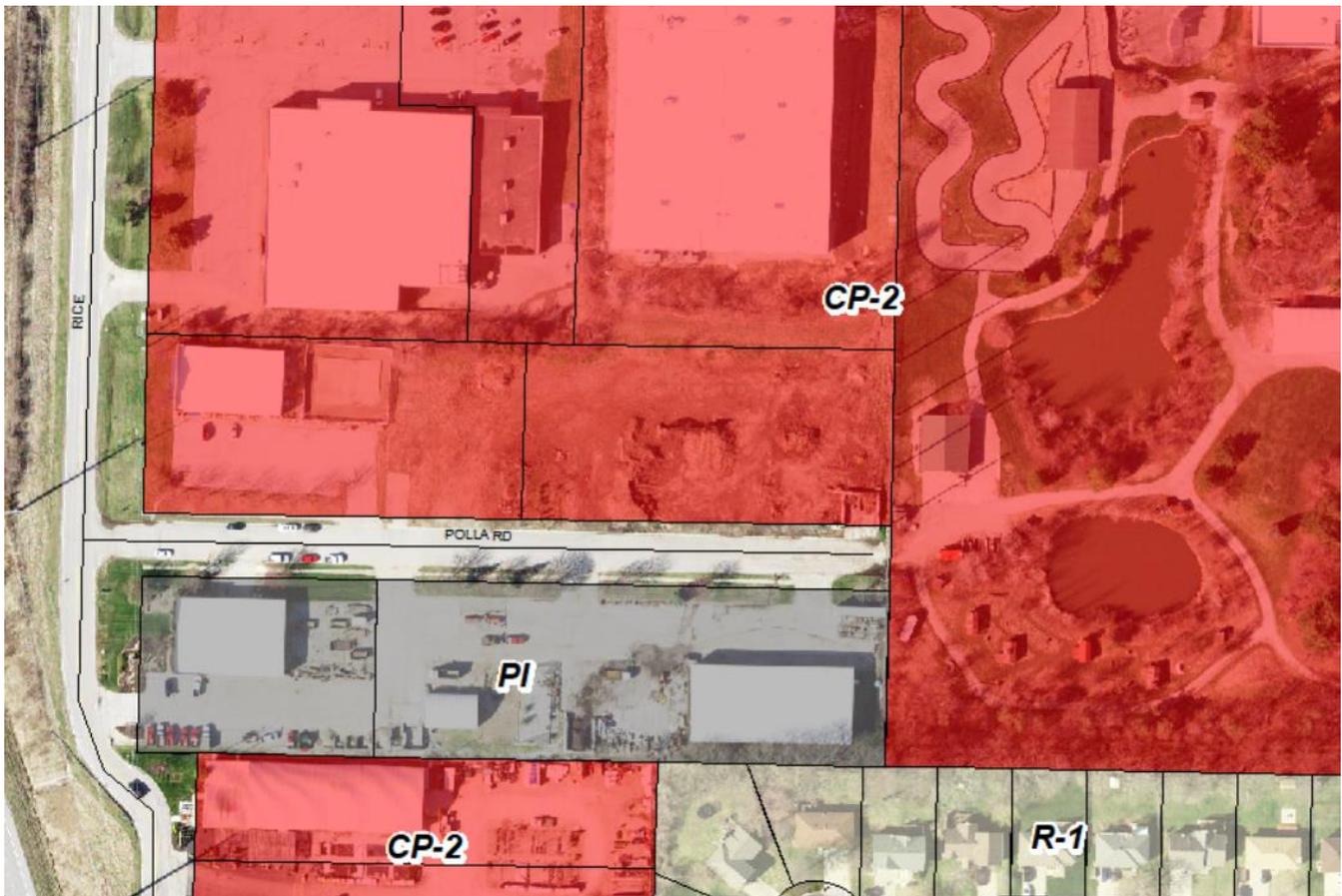
## 6. Analysis

### Background and History

- February 6, 1979 – The City Council approved a rezoning (Appl. #1978-046) from A (now AG) to C-1 (now CP-2) by Ordinance No. 1971.
- July 3, 1979 – The City Council approved the final plat (Appl. #1979-085) of Clover Acres, Lots 1-3 by Ordinance No. 2024.
- March 11, 1986 – The City Council approved a rezoning (Appl. #1986-005) from C-1 (now CP-2) to C-3 (now PI) by Ordinance No. 2754.
- December 29, 1994 – The minor plat (Appl. #1994-144) of Clover Acres – A Replat of Lots 2 and 3 was approved by the City.
- March 4, 1999 – The City Council approved a rezoning (Appl. #1998-077) from C-3 (now PI) to C-1 (now CP-2) by Ordinance No. 4744.
- April 8, 1999 – The minor plat (Appl. #1999-209) of Clover Acres, Lots 3-A & 3-B was administratively approved by the City.
- August 21, 2000 – The minor plat (Appl. #2000-172) of Clover Acres, Lots 3-C & 3-D was administratively approved by the City.
- November 1, 2001 – The Unified Development Ordinance (UDO) became effective and changed District C-1 (General Business) to District CP-2 (Planned Community Commercial).

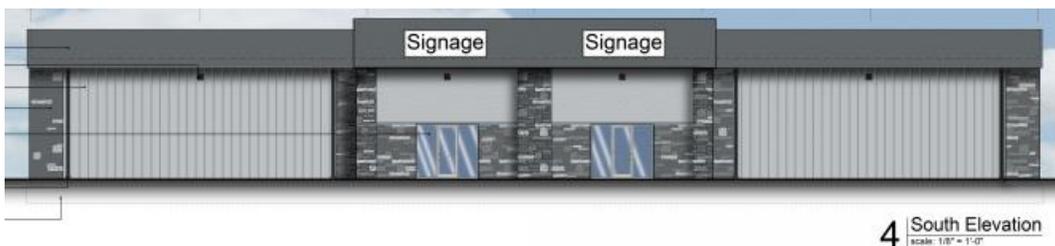
### Compatibility

The proposed rezoning is compatible with the PI zoning along the south side of NE Pollard St. A number of existing buildings in the area along NE Rice Rd, such as those that currently house Atcheson Lawn and Landscape and The Grass Pad, were historically developed under previous zoning regulations that allowed for uses of a more industrial and intense commercial nature, hence the presence of a pocket of office/warehouse-type buildings located along NE Rice Rd in and around NE Pollard St.



- Planned Community Commercial
- Planned Industrial
- Single Family Residential

From an architectural standpoint, the building renderings and elevations call for an EIFS and rough-textured metal panel exterior with stone veneer pilasters and stone veneer base framing the building entrances. The proposed building design is compatible to existing area buildings that use EIFS and masonry on the front facades and have smooth-finished, ribbed, metal panel systems on the remaining sides.



**Adverse Impacts**

The proposed rezoning and preliminary development plan for the industrial building site is not expected to injure or detrimentally affect the surrounding properties. The proposed rezoning and industrial use are compatible with existing area uses such the lawn and landscape contractor across NE Pollard St to the south and plant nursery/garden center further to the south.

The proposed development is not expected to create excessive storm water runoff. The development will be served by a private detention basin on the east side of the property. The applicant is requesting two stormwater detention waivers, one for the allowable 2-year storm event and one for the peripheral areas of the proposed site. These will need to be submitted, reviewed and approved by the City Engineer prior to approval of any final development plan.

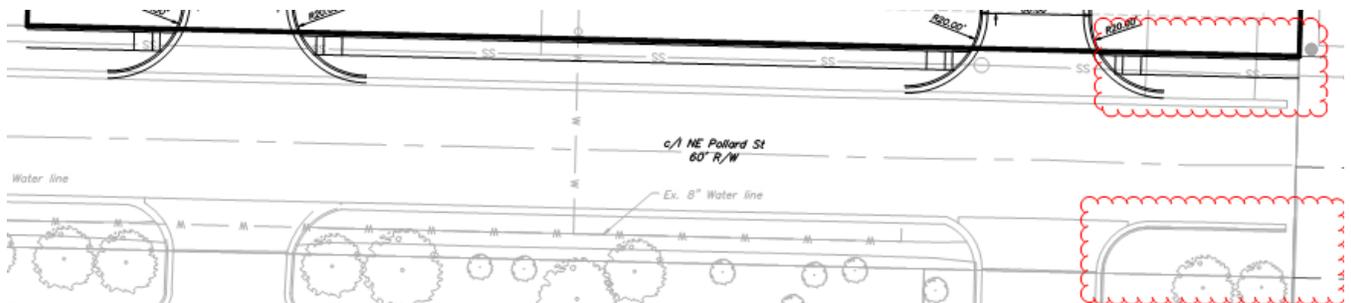
**Public Services**

The proposed development will tie into existing area public infrastructure. Sanitary sewer service will connect to an existing main along the north side of NE Pollard St. Water service will connect to an existing main along the south side of NE Pollard St.

The existing street network provides adequate capacity to accommodate the proposed development. A 5' sidewalk is required to be constructed along the entire street frontage of the proposed development. The plans show a 5' along the entire street frontage as required, but the applicant requests that neither the construction of the portion of the sidewalk east of the driveway be required nor that payment in lieu of construction be required.

**Modifications.** Modification requested. **Staff partially supports the modification request.**

- Required – A 5' sidewalk is required along both sides of a local industrial street. The sidewalk shall extend along the entire lot's street frontage. The approved plat for the subdivision shows the provision of sidewalk to the easternmost point of the subject property.
- Proposed - The plans show a 5' sidewalk extending to the easternmost limit of the lot in accordance with the UDO. However, the applicant requests that the sidewalk not be required to extend beyond the proposed eastern driveway into the site. NE Pollard St, and its associated right-of-way, terminates at the eastern end of the subject property where it ties into the former site of Paradise Park (now a LS R-7 School District facility). A gate at the end of NE Pollard St controls access onto the R-7 School District facility. NE Pollard St will not extend further east than its current limits. Because the street cannot be extended, the applicant proposes to terminate the sidewalk at the easternmost driveway into the site and not be required to construct the final 54' sidewalk segment. The applicant further requests that the developer not be required to pay a fee in lieu of sidewalk construction.



- Recommended – As stated above, NE Pollard St and its right-of-way terminate at the eastern limit of the subject property. The abutting property to the east is the fully developed site of the former Paradise Park, which is now owned by the LS R-7 School District. No sidewalk is required to accommodate pedestrian access beyond the easternmost driveway into the subject development. The existing development along the south side of NE Pollard St did not extend sidewalk beyond its easternmost driveway, which the developer seeks to mirror. Staff supports not requiring construction of the easternmost 54' segment of sidewalk, but does not support waiving the payment in lieu of sidewalk construction for said segment.

### **Recommendation**

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

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

### **Site Specific**

1. A modification shall be granted to the requirement for a sidewalk along the entire street frontage along a commercial or industrial street, to not require construction of the sidewalk segment (approximately 54' in length) east of the easternmost driveway serving the site. Payment in lieu of construction for said segment shall be required.
2. Development shall be in accordance with the preliminary development plan dated May 23, 2022, and building elevations with revised dates of May 24, 2022, subject to conditions further contained below.
3. To satisfy the requirements of the UDO, all sides of the building shall include similar architectural details, materials and colors to minimize a back-side presentation to other buildings.
4. To satisfy the requirements of the UDO for a building with flat roofs, buildings with a pitch of 2 inches vertical to 12 inches horizontal or less shall incorporate detailed parapets or exaggerated cornice lines to provide architectural relief. Said parapet or exaggerated cornice line shall be extended to the rear building elevation.

### **Standard Conditions of Approval**

5. Any stormwater detention waivers shall be submitted, reviewed and approved by the City Engineer prior to approval of a final development plan.
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. 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.

9. 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.
10. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
11. 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.
12. Additional fire protection or fire area separation may be needed depending on the use of the building.
13. Provide asphalt in the fire access portions of the parking lot capable of supporting a 75,000-pound fire apparatus.
14. All exterior mechanical equipment, whether roof mounted or ground mounted, shall be entirely screened from view. Roof mounted equipment shall be screened by the parapet equal to the height of the mechanical equipment. Ground mounted equipment shall be screened by masonry wall or landscaping equal to the height of the units.
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 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 Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.