

## **Zoning Report**

Summit Square 789 Northwest Donovan Road Lee's Summit, MO 64086

## Prepared For:

Newmark and Freddie Mac

### As of:

April 3, 2023

### Armada Job Reference No.: 0260900

104 S Main St, Suite 500, Greenville, SC 29601 www.armadaanalytics.com (800) 480-3050

### **Table of Contents**

Executive Summary 1
Zoning District and Permitted Use
Adjacent Zoning
Building Requirements
Lot Requirements
Parking Requirements
Reconstruction
Code Violations
Freddie Mac Requirements
Freddie Mac Reliance Language
Contact and Sources
Contact and Sources
Appendix
Appendix Approval Documents
Appendix         Approval Documents       12         Zoning Verification Letter       15
Appendix       12         Approval Documents       12         Zoning Verification Letter       15         Code Violation Information       17
AppendixApproval Documents12Zoning Verification Letter15Code Violation Information17Property Identification20
AppendixApproval Documents12Zoning Verification Letter15Code Violation Information17Property Identification20Zoning Map22

## **Executive Summary**

	At A Glance
Conformance Status:	Legal Conforming
Right to Rebuild:	The subject is a legal conforming use and structure and may be fully rebuilt as is in the event of any level of destruction.
Insurance Recommendation:	Law and ordinance insurance is not required per Freddie Mac Guidelines.

Zor	ning Data	
Zoning Jurisdiction:	Lee's Summit, City of, MO	Property Typ
Zoning District:	PMIX, Planned Mixed Use	Year Built:
Zoning Ordinance Date:	March 14, 2023	Units:
Current Use Conforming:	Yes	Buildings:
	Zoning- No	Site Acreage:
Open Code Violations:	Building- No	Site Square Footag
	Fire- No	Certificate of Occu

	Conformance Status	Required	Subject
Building Requirements			
Building Height (max.)	Yes	6 Stories / 90'	4 Stories / ≈48'
Total Floor Area (max.)	Yes	478,000 SF	439,043 SF
Density (max.)	Yes	318	308
Lot Requirements			
Lot Width (min.)	Yes	100'	>100'
Property Line Setbacks (min.)	Yes	<u>See Page</u>	See Page
Pervious Coverage (min.)	Yes	5%	>5%
Parking Requirements			
Off-Street Parking (min.)	Yes	539	542



The Lee's Summit, City of, MO's PMIX Planned Mixed Use district is intended to allow greater flexibility in development standards (lot coverage, setbacks, building heights, lot sizes, etc.) to facilitate adaptation of development to the unique conditions of a particular site, permit a mixture of uses which, with proper design and planning, will be compatible with each other and with surrounding uses or zoning districts and will permit a finer-grained and more comprehensive response to market demand, and obtain greater economic vitality, higher standards of site and building design, a high level of environmental sensitivity, and more satisfying living and working environments than can be achieved under the standards of other zoning districts according to the general standard prescribed in § 4.240 of the Lee's Summit, City of, MO municipal code.

## Legal Conforming: The use of Multifamily is a permitted use with site plan approval within the PMIX Planned Mixed Use district.

Overlay District:	No
Conditional Use:	No
Special Use Permit:	No
Variances:	No

## **Adjacent Zoning**

	Adjacent Zoning	
Direction	Zoning District	
North:	PI, PMIX	
South:	PMIX	
East:	ROW	
West:	PMIX	



## **Building Requirements**

**Building Height:** Per the approved site and development plans the property must not exceed a maximum height of 6 Stories / 90'.

Legal Conforming: The subject is a maximum of 4 stories at an estimated height of 12' per story or 48' total.

Total Floor Area: Per the approved site and development plans the property must not exceed a floor area of 478,000 SF.

Legal Conforming: The subject has a floor area of 439,043 SF

Density: Per the approved site and development plans the property must not exceed a density of 318 units.

Legal Conforming: The subject has a density of 308 units.



### Lot Requirements

Lot Width: Per § 6.030 of the zoning code, a Multifamily property in the PMIX Planned Mixed Use district must have a minimum Lot Width of 100'.

#### Legal Conforming: The subject has a Lot Width of at least 100'.

**Property Line Setbacks:** Per the approved site and development plans the property must adhere to the setbacks as shown on the approved site plan.

Legal Conforming: While the exact distance of the setbacks are not clearly delineated the survey shows that the property's buildings appear to adhere to the location shown on the approved site plan.

**Pervious Coverage:** Per the approved site and development plans the property must have a minimum Pervious Coverage of 5%.

Legal Conforming: While an exact measurement is not available, based on visual review of Google Earth and the Survey, the subject is estimated to conform to the Pervious Coverage requirement.

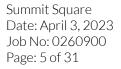


### **Parking Requirements**

**Off-Street Parking:** Per the approved site plan, the minimum off-street parking requirements for the subject property are 1.75 spaces per unit.

Legal Conforming: The subject is required to have a minimum of 539 parking spaces (See math below). The subject has 542 parking spaces.

308 units \* 1.75 = 539 spaces





### Reconstruction

**Legal nonconforming uses:** Per § 10.050 of the zoning code, one existing lawful nonconforming use of a structure may be changed to one other nonconforming use of the same structure by the Director based upon review of criteria and when deemed that such a change will not adversely affect the purpose and intent of this chapter. Where nonconforming status applies to a use and structure in combination, and where removal or destruction of said structure was caused by an accident or act of God after the adoption of this chapter, and where removal or destruction exceeded 50 percent of the cost to replace said structure, the re-establishment of the nonconforming use shall be prohibited.

Legal nonconforming buildings and/or structures: Per § 10.070 of the zoning code, should any lawful nonconforming structure be destroyed by any means to an extent of more than 50 percent of its replacement cost at the time of destruction, it may only be reconstructed in conformance with the provisions of this chapter; except that lawful nonconforming structures that are single family detached dwellings, duplexes or townhouses of not more than two laterally attached single family dwellings, or multi-family dwellings/townhouses not exceeding four units may be reconstructed to their former condition, dimensions and location on the lot provided that the destruction was caused by an accident or act of God occurring after the adoption of this chapter and such reconstruction does not increase the degree of nonconformity that existed prior to the destruction. Reconstruction of a lawful nonconformity, where permitted, must commence within 24 months of destruction. In such case where reconstruction does not commence within this limited time frame, the nonconformity will be considered abandoned and such structure shall only be reconstructed as a permitted use.

The subject is a legal conforming use and structure and may be fully rebuilt as is in the event of any level of destruction.

Summit Square Date: April 3, 2023 Job No: 0260900 Page: 6 of 31



## **Code Violations**

Code	Violations	Source
Open Zoning Code Violations?	No	Per ZVL Lee's Summit, MO Planning and Development Hector Soto, Jr., AICP, Senior Planner Hector.Soto@cityofls.net
Open Building Code Violations?	No	Per ZVL Lee's Summit, MO Planning and Development Hector Soto, Jr., AICP, Senior Planner Hector.Soto@cityofls.net
Open Fire Code Violations?	No	Per ZVL Lee's Summit, MO Planning and Development Hector Soto, Jr., AICP, Senior Planner Hector.Soto@cityofls.net



**Conforming Use and Structure:** A zoning report must be prepared stating that the property must conform to all applicable zoning, subdivision and use laws, ordinances or codes and local building and housing codes. If the zoning report states that the property does not conform to current zoning regulations, including those governing density, building restriction lines, size or parking, Freddie Mac may purchase the Mortgage if the property meets certain requirements.

#### The subject is currently zoned PMIX Planned Mixed Use and is a legal conforming use.

**Certificates of Occupancy:** Lender must determine whether all Certificates of Occupancy required for the use, operation and occupancy of the Property for its presently-contemplated use have been issued and are in effect or, if all Certificates of Occupancy are not available for the Property, its zoning report must include one of the following:

- The absence of any Certificate of Occupancy within the "applicable governmental authority" property file is not a violation nor will it give rise to any enforcement action affecting the property. A new Certificate of Occupancy will only be required for new construction and to the extent that any renovations/remodeling are made to all or a portion of the property; or
- An explanation of why the statement above is not applicable, based on the particular facts and circumstances related to the Property or the requirements of the applicable jurisdiction.

#### Certificates of Occupancy covering the property are attached in the appendix.

**Notice of Violations:** Lender must determine whether the applicable municipality or other jurisdiction has on record any notice of violations of applicable zoning laws and ordinances and building codes or those relating to fire and life safety or accessibility requirements applicable to the Property.

#### No code violations noted.

**Restoration:** If the zoning report states that the property does not conform to current zoning regulations, including those governing density, building restriction lines, size or parking, Freddie Mac may purchase the Mortgage if the property meets one of the following requirements:

- The zoning report states that the improvements may be rebuilt to predamage size, density and configuration in the event of partial or full destruction by fire or other casualty ("statement of full restoration"). The statement of full restoration must be satisfactory to Freddie Mac and should be from the zoning or housing authority or other authorized agency representative or official ("zoning authority").
- 2. If the zoning report does not provide a statement of full restoration or satisfactory variance or legislation that the Property can be completely restored, in order for Freddie Mac to consider the Mortgage for purchase, all of the following conditions must be satisfied:
  - 1. The zoning report must contain a damage restoration statement from the zoning authority that (a) states the requirements of the current zoning classification (i.e., number of units that could be rebuilt or the set back that would be required under current zoning), and (b) specifies the percentage of damage to the Property's market, replacement or appraised value that could occur (the "damage threshold level") that would still allow the owner to rebuild the Property to predamage size and density without having to comply with current zoning requirements. The percentage of destruction must not be based on the Property's taxation assessed value.

Summit Square Date: April 3, 2023 Job No: 0260900 Page: 8 of 31



3. The Seller must submit an evaluation of the likelihood that a fire or other casualty could damage the Property beyond the damage threshold level by evaluating those requirements set forth in Chapter 8, Section 5 of the Freddie Mac Seller/Servicer Guide.

The subject is a legal conforming use and structure and may be fully rebuilt as is in the event of any level of destruction.

Law and Ordinance Coverage: L&O coverage is required for any property that is non-conforming under current building, zoning or land use laws or ordinances unless the municipality or other governing authority will permit the Property to be rebuilt 100% to the specifications of the Property that existed at the time of the loss. The Seller/Servicer must provide evidence of 100% rebuild allowance to Freddie Mac to demonstrate the coverage is not required. If the zoning law rebuild allowance is restricted to less than 12 months under which the reconstruction must be under permit or construction, then Ordinance and Law coverage is required.

- 1. Coverage A Loss to the undamaged portion of the Property: Coverage no less than the estimated Replacement Cost of the Property; provided, however, if the damage threshold percentage of the zoning laws is known, the minimum for Coverage "A" = (Replacement Cost (Replacement Cost X damage threshold percentage))
- 2. Coverage B Demolition cost: The Cost to demolish and clear the site of undamaged parts of the Property if such demolition is required by enforcement of any zoning laws. Coverage "B" must equal no less than 10 percent of the estimated Replacement Cost of the Property.
- 3. Coverage C Construction cost: Increased cost of construction to allow the Borrower to rebuild the Property to meet all applicable zoning laws. Coverage "C" must equal no less than 10 percent of the estimated Replacement Cost of the Property.

Note that Ordinance and Law Coverage must be endorsed to include Business Income/Rental Value loss relevant to this coverage.

The subject property is a legal conforming use and structure. Therefore, law and ordinance insurance is not required per Freddie Mac guidelines.



Summit Square Date: April 3, 2023 Job No: 0260900 Page: 9 of 31 This report is for the use and benefit of, and may be relied upon by,

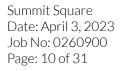
a) Newmark, Freddie Mac and any successors and assigns ("Lender");

- b) independent auditors, accountants, attorneys and other professionals acting on behalf of Lender;
- c) governmental agencies having regulatory authority over Lender;
- d) designated persons pursuant to an order or legal process of any court or governmental agency;
- e) prospective purchasers of the Mortgage; and

f) with respect to any debt (or portion thereof) and/or securities secured, directly or indirectly, by the Property which is the subject of this report, the following parties and their respective successors and assigns:

- any placement agent or broker/dealer and any of their respective affiliates, agents and advisors;
- any initial purchaser or subsequent holder of such debt and/or securities;
- any Servicer or other agent acting on behalf of the holders of such debt and/or securities;
- any indenture trustee;
- any rating agency; and
- any institutional provider from time to time of any liquidity facility or credit support for such financings.

In addition, this report, or a reference to this report, may be included or quoted in any offering circular, information circular, offering memorandum, registration statement, private placement memorandum, prospectus or sales brochure (in either electronic or hard copy format) in connection with a securitization or transaction involving such debt (or portion thereof) and/or securities.



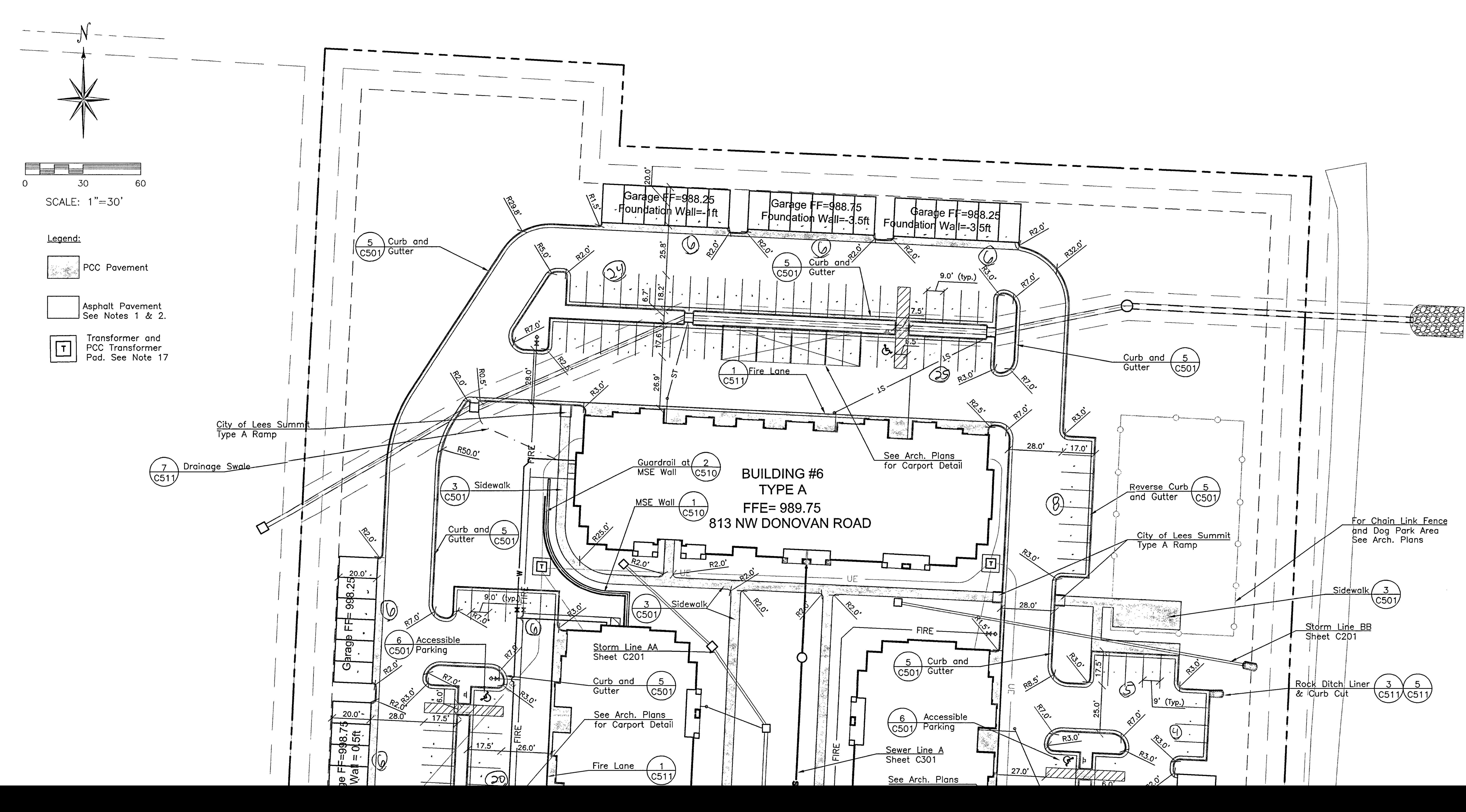


Zoning General Contact: Armada Analytics, Inc. Attn: Zoning Department 104 South Main St., Suite 500 Greenville, SC 29601 (800) 480-3050

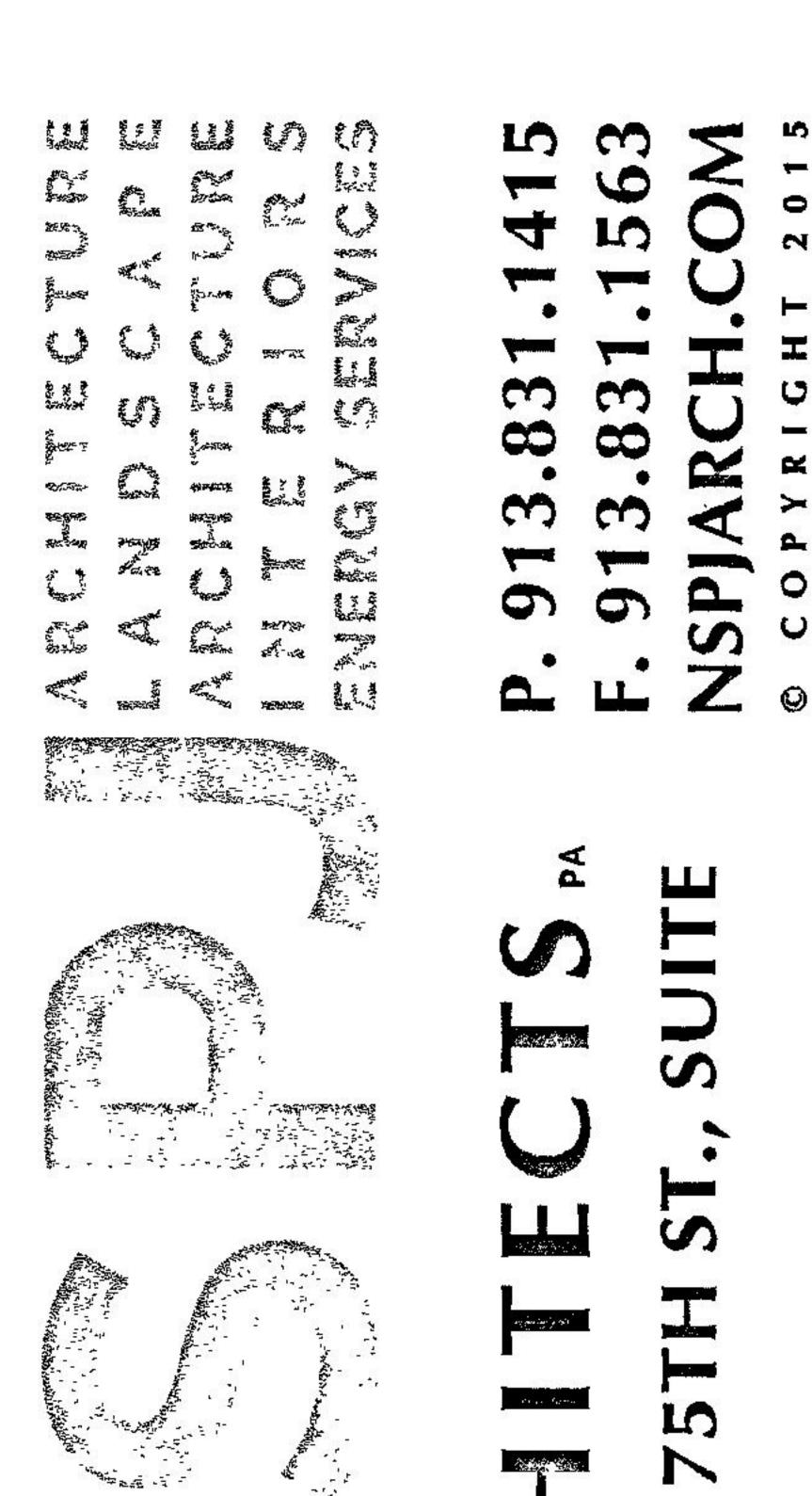
Writte	n By:	Reviewed By:
Randy Warren, Z	oning Analyst II	Andrew Brown, VP, Zoning
rwarren@armad	aanalytics.com	abrown@armadaanalytics.com
(864) 43	8-2126	(864) 751-4013
Armada An	alytics, Inc. has relied on inforr	nation provided by the following sources:
	Lee's Summit, City of, MC	
Municipality:	Hector Soto, Jr., AICP, Ser	nior Planner
	Hector.Soto@cityofls.net	
	CBRE	
Appraisal:	Dated April 6, 2023	
	Prepared by Matt Humm	el, State of MO, LC# 201403618
Freddie Mac Requirements:	Online Freddie Mac Mult	ifamily Guide



## **Approval Documents**



\_\_\_\_\_

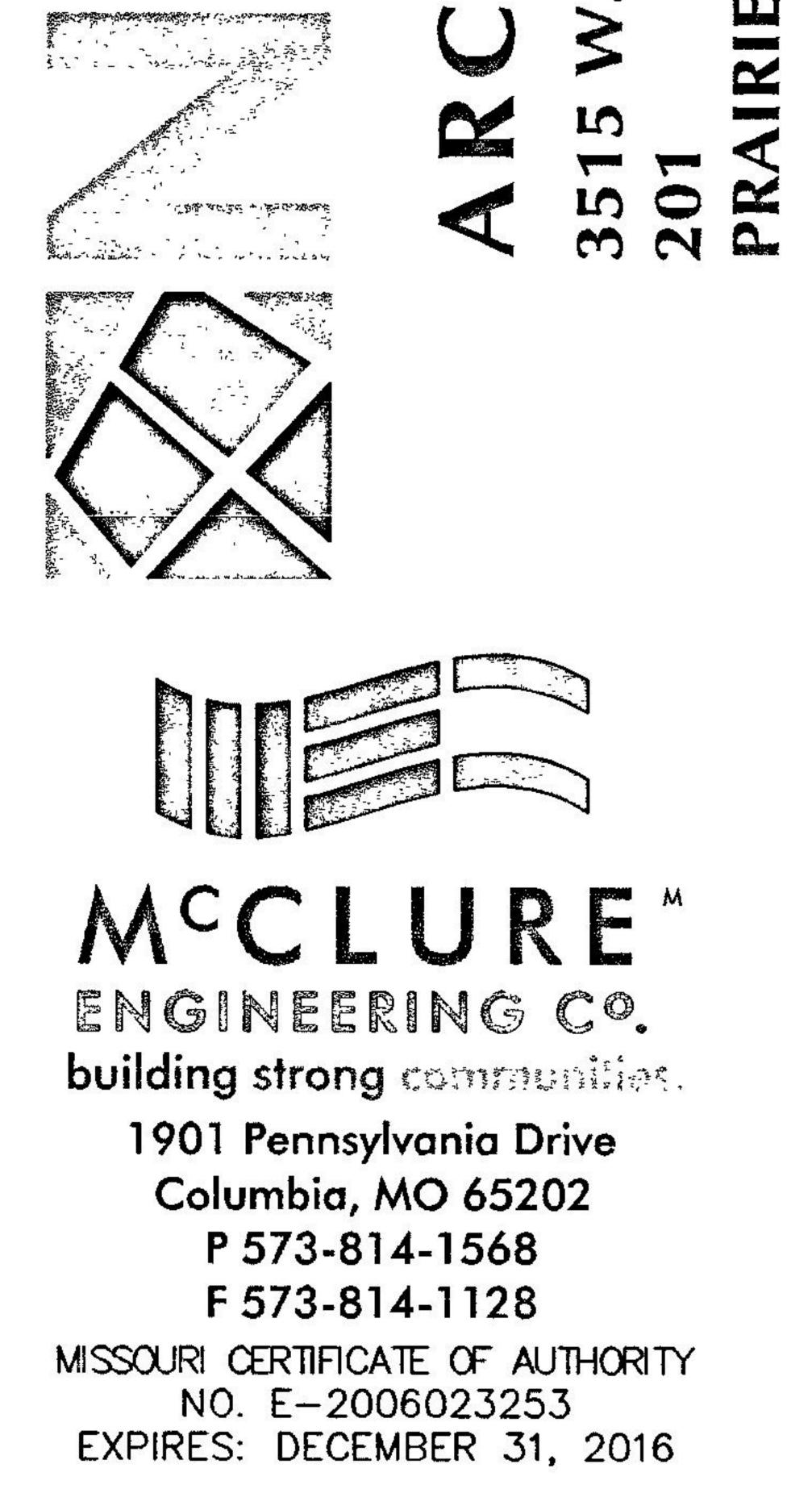


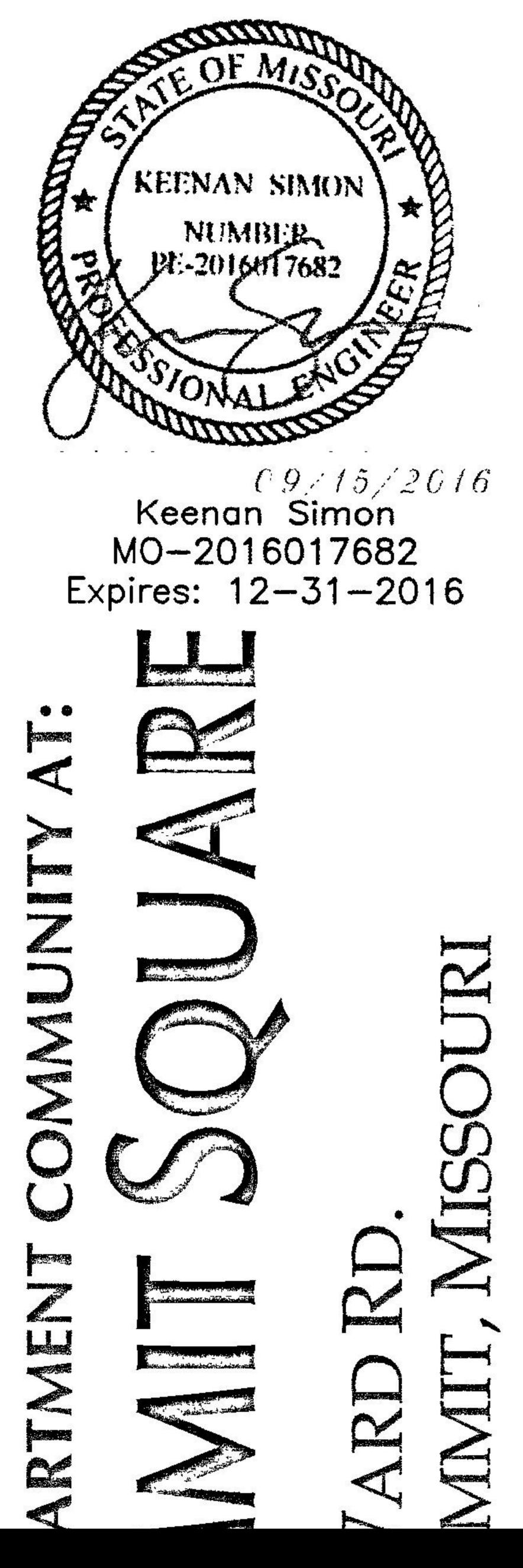
a de la com

·\_\_\_\_\_

General Notes: 1. Heavy duty asphalt pavement (4/C511) required at all drive lanes.

- 2. Light duty asphalt pavement (1/C501) acceptable for parking stall ¿. See Arch Plans for Carport, Detached Garage, Dog Park,
- Dumpster Enclosure and Pool Deck Area.
- 4. Contractor shall coordinate installation of all utilities with the corresponding utility company providing service.
- 5. All PVC conduit shall be schedule 40 with long sweeps only (36" minimum radius) and contain pulltape, unless otherwise noted. 6. All underground utility conduits shall be placed 48" below finish
- grade unless noted otherwise. All water and sanitary leads to building shall end 5' outside the building limits as shown on the plan and shall be provided with a temporary plug at end.
- 3. All trenching, pipe laying, and backfilling shall be in accordance with Federal OSHA Regulations. Backfill of trenches through any improved areas, such as street, drives, or parking lot (paved) areas shall be compacted to 95% standard proctor density (ASTM D698) 9. Refer to MEP for exact size and location of all utility connections
- at building. 10. All proposed sanitary sewer lines shall be private unless otherwise
- 11. Sanitary sewer construction shall be in accordance with the
- current Clty of Lee Summit Standards. ARAN 12. Maintain a minimum 10' horizontal and 18" vertical separation between sanitary sewer and existing or proposed water lines.
- Water line must be above sanitary sever. 13. All sanitary laterals shall be constructed at 2% minimum slope. 14. Underground telephone (UT), underground TV (UTV), underground electric (UE) and fiber optic (FO) conduit shall be installed by Contractor at a minimum depth of 48".
  - 15. Contractor shall provide and install the concrete pad for the transformer per City of Lee Summit specifications. 16. Sanitary Service line to match Flowline elevation of building sewer
  - (See MEP) 17. PCC Transformer Pad to be in accordance with utility
  - specifications.
  - 18. Fire lane striping 1/C511 to be located at edge of PCC Garage Apron and extend full length of building.







NEW APARTMENT COMMUNITY A

613

t

C a

la a

X

MCCLU

ENGINEERIN

building strong com 1993 Percepters

Columbia, MO 4 P 373-814-13 P 373-814-13

autor

n nare n nare

130

110

Keenon Sim MO-2010013 Expires 12-31

22

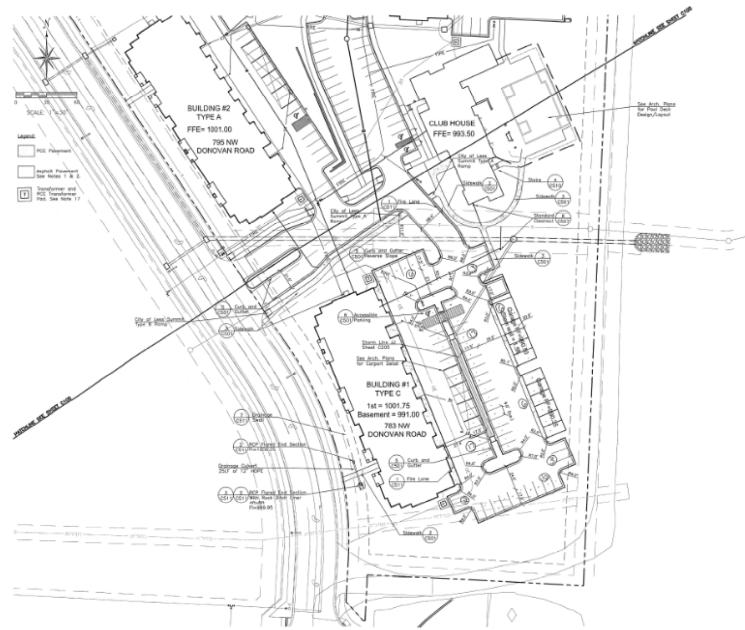
Ϋ́Ξ

D2: 10

Revisions A Dity Commerts

DATE 09/15/2016 J08/16/ 808/16/833 Drawn Gri GRK Sreet No. Sreet No.

C10



Seneral Notes: 1. Heavy duty asphalt povement (4/CS11) required at all drive

- loses. 2. Uphi duly explicit presentent (1/CS01) acceptable for parking stall

- Light sky mphot powerset (1/CSH) acceptable for parking stations.
   Time Arch Plans for Corport, Database Company, Dog Perk, Derryster (Directions on all Polici Back Ann.
   All PVC conditions on all Polici Back Ann.
   All PVC conditions on all Polici Back Ann.
   All PVC conditish that the statement of the statement

- at itsulfrig.
  5. All presented surfacy sears frees shall be priorie unless atherwise
  15. Sorbay sears controlution shall be in occardance with the ourse CM years and the submet of the surface of the supervise of the submet of the surface of the surf

NEW APARTMENT COMMUNITY AT 701 NW WARD RD. LEES SUMMIT, MISSOURI SUMMIT S Č۶ DRAWING RELEASE LOG +COMPANY OF BRIDE +DODGER-TOP ILLENTIAL +01312810-80% PROBREDS NOT +01102010-PERMIT BURNITSK 401012010-000001

+01/828/6-00 St/

F. 913.831 F. 913.831 NSPJARCH

ARCHITECTS., 3315 W. 75TH ST., SUITE 201 PRAIRIE VILLAGE, KS 66208

190322

6Ľ

1227

 $\otimes$ 

MCCLURE

M°CLUCK INGINIERING C\*, building storg research in BHI Pernahasia Brie Colvetia, NO 6202 P 373-816-1568 P 373-816-1568 P 373-816-1588 P 373-816-1588 P 373-816-1588 P 373-816-1588 P 373-816-1588 P 374-816-1588 P 374-816-1588 P 374-816-1588 P 374-816-1588 P 374-816-1588 P 374-916-1588 P 374-1588 P 374-1588 P 374-1588 P 374-1588 P 374-1588 P 374-1588 P

Mining.

Keenon Simon WO-2016017482 Expires: 12-31-2016

REVERSE A City Constraints 67/26/2016 DATE

09/15/2016 J08.NO. -2016 - 121 -RECEIVED 3EP 1 6 2016 Planning & Codes Admin

00016033 DRAWN BY: GRK SHEET NO. STE LAYOUT SOUTH C106

## City of Lee's Summit Department of Planning & Codes Administration

May 13, 2016

TO: Planning Commission

Robert G. McKay, AICP, Director FROM:

PUBLIC HEARING - Appl. #PL2016-039 - PRELIMINARY DEVELOPMENT PLAN RE: - Summit Orchards, 701 NW Ward Road; Townsend Summit, LLC, applicant

#### Commentary

The applicant proposes developing between 645,121 - 856,250 sq. ft. of multi-family residential, shopping center, office, educational, retail, restaurant, and elder care on 46.94 acres in five phases. The Concept Development Plan/Site Plan (Sheet AS100) indicates a total floor area of 645,121 sq. ft.; however, the Narrative (Sheet A1) indicates a maximum total floor area of 856,250 sq. ft. The traffic study only evaluated the 645,121 sq. ft. development depicted on the site plan. Additional information will be needed to evaluate development beyond this square footage.

Phase 1 is a 5-story 382,571 sq. ft. multi-family development to be located on 18.28 acres (Lot 3). Phase 2 is 40,900 sq. ft. of shopping center and restaurant to be located on 7.55 acres (Lot 4). Phase 3 is an additional 66,650 sq. ft. of shopping center and restaurant to be located on 8.48 acres (also on Lot 4). Phase 4 is a 3-story 50,000 sq. ft. office building to be located on 4.00 acres (Lot 1). Phase 5 is a 3-story 105,000 sq. ft. office building complex composed of three total buildings to be located on 7.98 acres (Lot 2). As a PMIX development, the applicant can propose development standards tailored to a specific project in order to provide greater flexibility and adaptability to the conditions of a site. The applicant has set the parameters for the maximum floor area, the maximum floor area ratio, and the maximum height under Table 2; Development Standards of the narrative included in this preliminary development plan. The development's parking standards for the proposed uses are defined in Table 3: Parking Standards.

The applicant proposes a material palette for the building exteriors that includes: stucco/synthetic stucco, cultured stone, cementitious panels, metal panels, masonry, glazing, concrete, and wood. A range of concept images has been provided to demonstrate what the various types of buildings may look like.

The applicant requests modification to the parking stall size; the 25% total floor area increase threshold for a substantial plan change; and the 10% density increase threshold for a substantial plan change. Staff supports granting the modifications to the total floor area and density increase thresholds. Staff does not support granting a modification to the parking stall size requirement. (Removed by Staff)

- 0.44 (avg.) floor area ratio (FAR) 0.55 maximum permitted
- 63% impervious coverage 80% maximum permitted
- 37% open space 20% minimum required
- 2,097 parking spaces provided 1,679 parking spaces required per the Alternate Parking Plan

#### Recommendation

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

- A modification shall be granted to allow for an increase in the total floor area of all nonresidential buildings above the 25% allowed per Section 4.330 of the UDO, to allow up to a 33% increase, provided that the required number of parking spaces can be provided.
- A modification shall be granted to allow for an increase in the total density of all residential buildings above the 10% residential density increase allowed per Section 4.330 of the UDO, to allow up to a 20% increase, provided that the required number of parking spaces can be provided.
- Development shall be in accordance with the preliminary development plan date stamped April 8, 2016.
- 4. Development standards, including density, lot area, setbacks, shall be as shown on the preliminary development plan date stamped April 8, 2016.
- The approved architectural styles, building materials and colors, shall be as shown on the building elevations date stamped April 8, 2016.
- Architectural design standards shall be per the Summit Orchards Tenant Criteria Handbook date stamped April 5, 2016.
- In lieu of a 5' sidewalk a 10-foot shared-use path shall be required along the north side of NW Chipman Road between NW Donovan Road and the UPRR prior to the issuance of any occupancy permit within Phase 1.
- In lieu of a 5' sidewalk a 10-foot shared-use path shall be required along the north side of NW Chipman Road between NW Ward Road and NW Donovan Road prior to the issuance of any occupancy permit within Phase 2, Phase 3, Phase 4 or Phase 5.
- Parking shall be provided per the alternate parking plan shown on the preliminary development plan.
- 10. Sheet C102 of the Preliminary Development Plan shall be revised to reflect the water line alignment presented in an email and exhibit dated March 31, 2016, to John Huss, P.E. In general, this alignment requires that: 1) an 8" water line be connected across NW Chipman Road at NW Donovan Road via boring and casing, 2) an 8" water line be extended along the future NW Donovan Road to the east side of NW Ward Road and connected to the existing 8" line, 3) the water line be extended along NW Chipman Road to the west side of NW Ward Road at the existing bored and cased location, 4) the abandonment of the existing north/south 8" water line on the east side of NW Ward Road to NW Tudor Road, and 5) connection of the existing 8" water line running east/west at NW Tudor Road to the west side of NW Ward Road to the existing 8" water line on the casing. (Moved to the Code and Ordinance Requirements Box by Staff)
- 10. 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 form dated April 19, 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 Recorder's Office.
- 11. Two "L"-shaped monument sign (H7) with a sign area of up to 116 sq. ft. and a structure area up to 144 sq. ft., at the northeast corner of NW Ward Road and NW Chipman Road and the northwest corner of NW Chipman Road and NW Donovan Road shall be allowed. All other monument signs shall comply with the CP-2 sign standards.

12. A revised traffic study, sanitary sewer analysis and water demand analysis shall be evaluated if the non-residential total floor area is increased beyond the 25% allowed by Section 4.330 of the UDO, or the residential density is increased by more than the 10% allowed by Section 4.330 of the UDO. (Added by Staff)

#### **Project Information**

Proposed Use: Multi-family, Office, Retail, Restaurants, Services, Educational/Institutional, and Elder Care Uses Land Area: 18.28 acres (796,474 sq. ft.) - Phase 1 7.55 acres (328,878 sq. ft.) - Phase 2 8.48 acres (369,389 sq. ft.) - Phase 3 4.00 acres (174,240 sq. ft.) - Phase 4 7.98 acres (347,767 sq. ft.) - Phase 5 46.29 acres (2.016.748 sg. ft.) - Total Building Area: 382,571 sq. ft. - Multi-family (Lot 3) - Phase 1 40,900 sq. ft. - Shopping Center/Restaurant (Lot 4) - Phase 2 66,650 sq. ft. - Shopping Center/Restaurant (Lot 4) - Phase 3 50,000 sq. ft. - Office (Lot 1) - Phase 4 105,000 sq. ft. - Office (Lot 2) - Phase 5 645,121 sq. ft. - Total FAR (floor area ratio): 0.44 (avg.) Location: NE corner of NW Chipman Road and NW Ward Road **Zoning:** PMIX (Planned Mixed-Use District) Surrounding zoning and use: North: PI (Planned Industrial) and PMIX—KCP&L sub-station and approved Summit **Innovation Campus development** South (across NW Chipman Road): R-1 (Single-Family Residential)-single-family residences East (across Missouri Pacific Railroad): PI and CP-2 (Planned Community Commercial)-Office/Warehouse uses

West (across NW Ward Road): PMIX—Summit Technology Campus

#### Background

- May 20, 1999 The City Council approved the rezoning from PI (then M-1) to PMIX (then PUD) and the preliminary development plan (Appl. #1999-014) for the 333-acre Summit Technology Campus by Ordinance No. 4793. The plan included the site of the Summit Technology Campus, portions of Summit Fair, Summit Place, Summit Innovation Center, and the proposed Summit Orchards.
- August 24, 2006 The City Council approved a rezoning (Appl. #2005-271) from CP-2 (Planned Community Commercial) and PMIX to PMIX and a preliminary development plan (Appl. #2005-272) for the Summit Fair shopping center by Ordinance No. 6262. The site encompasses 58.7 acres generally bounded by Chipman Road on the south, US 50 Hwy on the west and Blue Parkway on the east and north.

- December 12, 2006 The Planning Commission approved the preliminary plat (Appl. #2006-230) of *Summit Fair, Lots 1-13 and Tracts A-F*.
- April 13, 2007 A preliminary development plan application (Appl. #2007-073) was submitted to the Planning and Development Department for the proposed 725,240 sq. ft. Summit Fair Phase II shopping center development. The proposed Summit Fair Phase II site encompassed approximately 90 acres generally bounded by I-470 on the north, Ward Road on the south, Blue Parkway on the west and railroad right-of-way on the east. The application was withdrawn by the applicant prior to the application being considered by the Planning Commission or City Council.
- May 1, 2008 The City Council approved the final plat (Appl. #2007-243) of Summit Fair, 2<sup>nd</sup> Plat, Lots 8, 10-14 and Tract C by Ordinance No. 6622.
- January 30, 2009 The minor plat (Appl. #2008-181) of *Fleck, Lucy and Lilly, Lots 1 & 2* was recorded with Jackson County. Lot 1 is a 4.5-acre parcel that is the existing site of a KCP&L operations facility. Lot 2 is an undeveloped 1.0-acre parcel that will be incorporated into the Summit Place development.
- July 10, 2014 The City Council approved a rezoning from PI to PMIX and preliminary development plan (Appl. #PL2011-119) by Ord. #7496. The Summit Place development is located on the west 43 acres of the 90-acre site previously proposed for Summit Fair Phase II.
- June 4, 2015 The City Council approved a preliminary development plan (Appl. #PL2015-034) for approximately 38 acres comprising the Summit Innovation Center development, located at the northeast corner of NW Ward Road and the future NW Tudor Road extension, by Ord. #7637.

#### 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 in the narrative. The applicant has proposed "Development Plan Standards" in Table #2 of the narrative. These standards are the applicant's intended maximums for any lot within this development.

Substantial Change, Percent Increase in Density. Modification requested. Staff supports requested modification.

 Proposed – The applicant proposes to allow for a 19.5% total increase in the density at the final development plan stage as described in the table below:

Proposed Density (Table #1, Sheet A1)	10% Increase (Residential)	Maximum Density (Table #2, Sheet A1)	Requested Potential % Increase
318 units (17.4	350 units (19.1	381 units (20.8	19.5%
units/acre)	units/acre)	units/acre)	

 Required – Per Section 4.330 of the UDO, the most that total density (for residential buildings) may increase from an approved preliminary development plan to a final development plan is 10% without having to go back through the preliminary development plan process.  Recommended – Staff supports the requested modification to the percent increase in total density as presented provided that the parking standards in the Alternate Parking Plan can be met.

Substantial Change, Percent Increase in Floor Area. Modification requested. Staff supports requested modification.

 Proposed – The applicant proposes to allow for a 54.7% total increase in the floor area at the final development plan stage as described in the table below:

Proposed	25% Increase	Maximum	Requested
Floor Area	(Non-	Floor Area	Potential %
(Sheet AS100)	residential)	(Sheet A1)	Increase
262,550 sq. ft.	328,188 sq. ft.	406,250 sq. ft.	54.7%

- Required Per Section 4.330 of the UDO, the most that total floor area (for nonresidential buildings) may increase from an approved preliminary development plan to a final development plan is 25% without having to go back through the preliminary development plan process.
- Recommended Staff supports the requested modification to the percent increase in total floor area as presented provided that the parking standards in the Alternate Parking Plan can be met.

#### Monument Sign Area.

- Proposed The applicant proposes two monument sign elevations to represent the ten monuments shown on the site plan. H7 is a "L"-shaped monument sign shown to be located near the northeast corner of NW Ward Road and future NW Tudor Road on the site plan. The potential sign area for this sign is 116 sq. ft., with a structure area of 144 sq. ft. Monument sign H5 is a typical rectangular monument sign proposed for the other fiveeight monument sign locations. Its potential sign area is 72 sq. ft., with a structure area of 96 sq. ft. (Corrected by Staff)
- Required Maximum sign area of 72 sq. ft. for sign area and 96 sq. ft. for structure area.
- Recommended Staff supports the request to allow for two "L"-shaped monument signs to be located at the northeast corner of NW Ward Road and NW Chipman Road and at the northwest corner of NW Chipman Road and future NW Donovan Road with a sign area of up to 116 sq. ft. and a structure area up to 144 sq. ft. All other monument signs shall comply with the CP-2 sign standards.

**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 requires the number of parking spaces shown below for the stated uses:

Use	Spaces	Per
Multi-family Residence	1	Efficiency or studio unit

	1.5	1 or 2 bedroom unit
	2	3 or more bedroom unit
Shopping Centers (excluding pad sites):		
25,000 – 399,999 sq. ft.;	5	1,000 sq. ft. of g.l.a.
400,000 – 599,999 sq. ft.;	4.5	1,000 sq. ft. of g.l.a.
600,000 sq. ft. +	4	1,000 sq. ft. of g.l.a.
College/University (instructional space)	10	Classroom
Technical College/Trade School	20	Classroom
Senior High School	6	Classroom
Places of Assembly	1	3 seats

The applicant proposes an Alternate Parking Plan to provide parking per page 6 of the applicant's narrative: 1.75 spaces per unit for the multi-family development; 4.5 spaces per 1,000 sq. ft. of building for the shopping center portion of the development; and 3 spaces per classroom for any education/institutional buildings. The proposed office and elder care uses will provide parking based on the UDO requirements of Article 12. Staff is supportive of the proposed Alternate Parking Plan as the numbers are consistent with the Summit Innovation Campus project and other recent developments.

#### **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

- 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.
- All Engineering Plan Review and Inspection Fees shall be paid 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).
- 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 Public Works Department if ground breaking will take place prior to the issuance of an infrastructure permit or prior to the approval of the Final Development Plan/Engineering Plans.

- 5. 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 issuance of a Certificate of Substantial Completion. A certified copy shall be submitted to the City for verification.
- 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. Sheet C102 of the Preliminary Development Plan shall be revised to reflect the water line alignment presented in an email and exhibit dated March 31, 2016, to John Huss, P.E. In general, this alignment requires that: 1) an 8" water line be connected across NW Chipman Road at NW Donovan Road via boring and casing, 2) an 8" water line be extended along the future NW Donovan Road to the east side of NW Chipman Road and connected to the existing 8" line, 3) the water line be extended along NW Chipman Road to the west side of NW Ward Road at the existing bored and cased location, 4) the abandonment of the existing north/south 8" water line on the east side of NW Ward Road to NW Tudor Road, and 5) connection of the existing 8" water line running east/west at NW Tudor Road to the west side of NW Ward Road via boring and casing.

#### 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. IFC507.5.1—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, onsite fire hydrants and mains shall be provided where required by the fire code official. Action required: Provide a hydrant plan.
- 10. 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. Action required: A hydrant is required within 100 feet of the FDC on all sprinklered buildings.
- 11. 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). Action required: Aerial access fire lanes for the apartments and buildings over 30 feet in height shall be 26 feet in width.

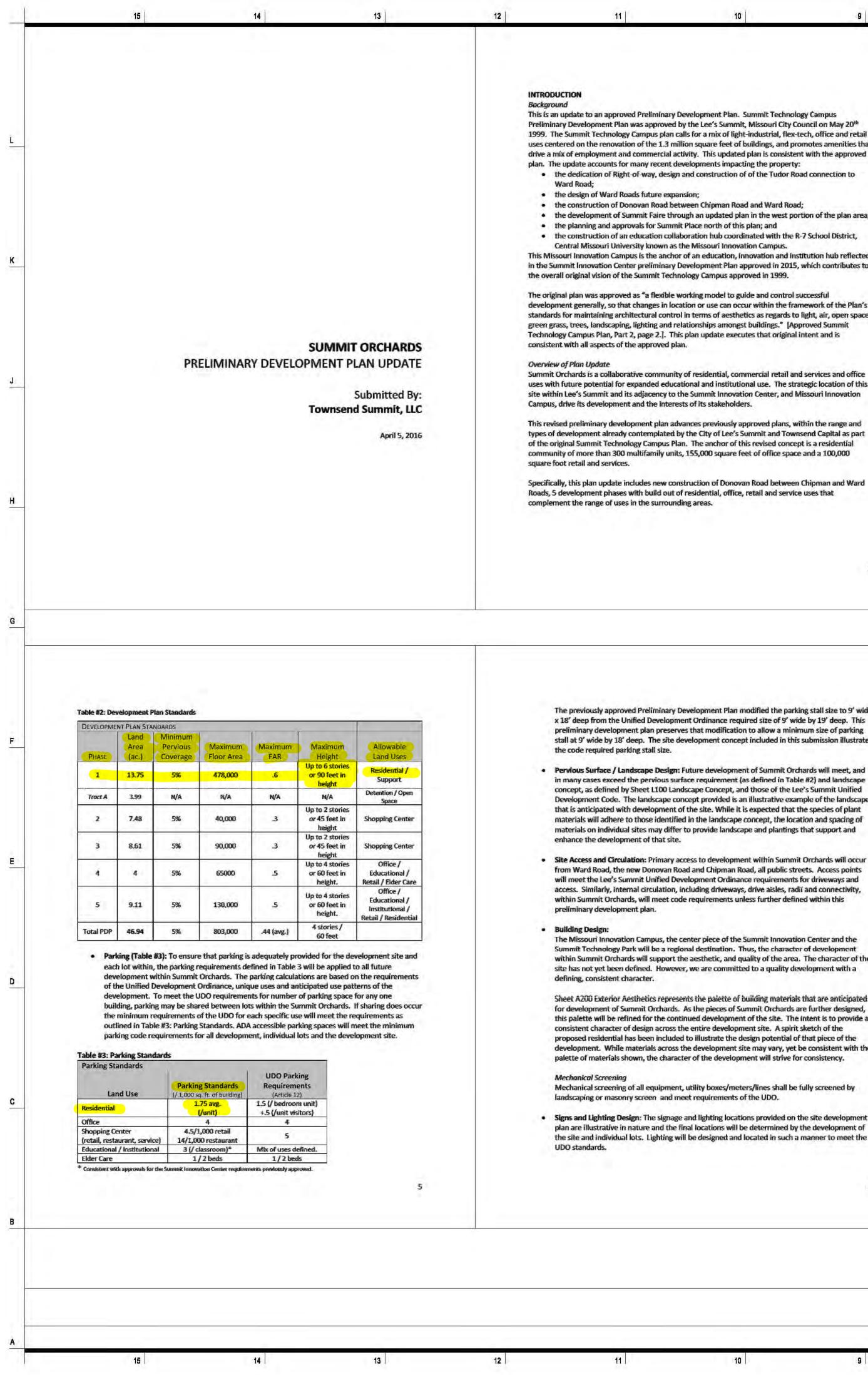
#### Planning and Codes Administration

- 12. 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.
- 13. Sign permits shall be obtained prior to installation of any signs through the Department of Planning and Codes Administration. All signs proposed must comply with the sign requirements as outlined in the sign section of the UDO.

#### RGM/cs

Attachments:

- 1. Transportation Impact Analysis prepared by City Traffic Engineer, dated April 19, 2016—6 pages
- 2. Summit Orchards Traffic Impact Study, date stamped March, 2016-67 pages
- 3. Preliminary Development Plan, date stamped April 8, 2016-11 pages
- 4. Summit Orchards: Preliminary Development Plan Update, narrative submitted by Townsend Summit, LLC dated April 8, 2016—8 pages
- 5. Summit Orchards Tenant Criteria Handbook, date stamped April 5, 2016-69 pages
- 6. Location Map



This is an update to an approved Preliminary Development Plan. Summit Technology Campus Preliminary Development Plan was approved by the Lee's Summit, Missouri City Council on May 20th 1999. The Summit Technology Campus plan calls for a mix of light-industrial, flex-tech, office and retail uses centered on the renovation of the 1.3 million square feet of buildings, and promotes amenities that drive a mix of employment and commercial activity. This updated plan is consistent with the approved plan. The update accounts for many recent developments impacting the property:

the construction of Donovan Road between Chipman Road and Ward Road;

- the development of Summit Faire through an updated plan in the west portion of the plan area,
- Central Missouri University known as the Missouri Innovation Campus. This Missouri Innovation Campus is the anchor of an education, innovation and institution hub reflected in the Summit Innovation Center preliminary Development Plan approved in 2015, which contributes to
- The original plan was approved as "a flexible working model to guide and control successful development generally, so that changes in location or use can occur within the framework of the Plan's standards for maintaining architectural control in terms of aesthetics as regards to light, air, open space, green grass, trees, landscaping, lighting and relationships amongst buildings." [Approved Summit
- uses with future potential for expanded educational and institutional use. The strategic location of this site within Lee's Summit and its adjacency to the Summit Innovation Center, and Missouri Innovation
- This revised preliminary development plan advances previously approved plans, within the range and types of development already contemplated by the City of Lee's Summit and Townsend Capital as part of the original Summit Technology Campus Plan. The anchor of this revised concept is a residential community of more than 300 multifamily units, 155,000 square feet of office space and a 100,000

Specifically, this plan update includes new construction of Donovan Road between Chipman and Ward Roads, 5 development phases with build out of residential, office, retail and service uses that

The previously approved Preliminary Development Plan modified the parking stall size to 9' wide x 18' deep from the Unified Development Ordinance required size of 9' wide by 19' deep. This preliminary development plan preserves that modification to allow a minimum size of parking stall at 9' wide by 18' deep. The site development concept included in this submission illustrates

 Pervious Surface / Landscape Design: Future development of Summit Orchards will meet, and in many cases exceed the pervious surface requirement (as defined in Table #2) and landscape concept, as defined by Sheet L100 Landscape Concept, and those of the Lee's Summit Unified Development Code. The landscape concept provided is an illustrative example of the landscape that is anticipated with development of the site. While it is expected that the species of plant materials will adhere to those identified in the landscape concept, the location and spacing of materials on individual sites may differ to provide landscape and plantings that support and

 Site Access and Circulation: Primary access to development within Summit Orchards will occur from Ward Road, the new Donovan Road and Chipman Road, all public streets. Access points will meet the Lee's Summit Unified Development Ordinance requirements for driveways and access. Similarly, internal circulation, including driveways, drive aisles, radii and connectivity, within Summit Orchards, will meet code requirements unless further defined within this

The Missouri Innovation Campus, the center piece of the Summit Innovation Center and the Summit Technology Park will be a regional destination. Thus, the character of development within Summit Orchards will support the aesthetic, and quality of the area. The character of the site has not yet been defined. However, we are committed to a quality development with a

Sheet A200 Exterior Aesthetics represents the palette of building materials that are anticipated for development of Summit Orchards. As the pieces of Summit Orchards are further designed, this palette will be refined for the continued development of the site. The intent is to provide a consistent character of design across the entire development site. A spirit sketch of the proposed residential has been included to illustrate the design potential of that piece of the development. While materials across the development site may vary, yet be consistent with the palette of materials shown, the character of the development will strive for consistency.

Mechanical screening of all equipment, utility boxes/meters/lines shall be fully screened by landscaping or masonry screen and meet requirements of the UDO.

 Signs and Lighting Design: The signage and lighting locations provided on the site development plan are illustrative in nature and the final locations will be determined by the development of the site and individual lots. Lighting will be designed and located in such a manner to meet the UPDATED SUMMARY OF APPROVED DEVELOPMENT PLAN - SUMMIT ORCHARDS Project Description

- Context. This plan update is part of a larger approved plan that includes The entire plan includePNs approximately 333 acres of land bordered on the north by Interstate 470, to the east by the Missouri Pacific Railroad, to the South by Chipman Road, and the west by NW Blue Parkway. The portion immediately to the north of this plan update was recently approved for an updated PDP (Summit Innovation Center) in 2015.
- Area. The currently approved plan is based on a series of green-space events that occur along the belt road, linking a series of villages that provide diverse settings for employment and commercial places themed under a "high-tech, sophisticated technology of contemporary office and business facilities." The landscape and street network that ties together the area is an extension of surrounding areas as well as building off of the original layout of the plan area. "Midwestern landscape" and meandering tree plantings are envisioned to be added to the existing context to drive the character of the plan, and to tie the built plan into the surrounding context
- Site /Projects. The site and proposed projects exist at the northeast corner of the Chipman Road and Ward Road (including its future expansion). It borders on the Missouri Pacific Railroad to the east, and the previously approved Summit Innovation Center development plan to the north.
- Project information. This development plan envisions a mix of residential, office and retail (including general retail, restaurants and services) uses across the almost 49 acre site. Access to the development from Ward Road will be supplemented with access from a new connection of Donovan Road from the east and from and existing break in access from Chipman Road.

#### Site History

- April 13, 1999 Lee's Summit Planning Commission held a public hearing with due public notice. in the manner prescribed by law regarding the rezoning of Summit Technology Campus from M-1 to PUD, and rendered a report to the City Council recommending approval of the rezoning.
- May 6, 1999 Lee's Summit City Council held a public hearing with due public notice in the manner prescribed by law and rendered a decision to rezoning Summit Technology Campus from M-1 to PUD. (The entire plan includes approximately 333 acres of land bordered on the north by Interstate 370, to the east by the Missouri Pacific Railroad, to the South by Chipman Road, and the west by NW Blue Parkway.)
- July 10, 2014 Lee's Summit City Council approved an updated Preliminary Development plan for the property to the north to facilitate development of Summit Place, consistent with the original approved overall preliminary development plan for Summit Technology Campus.
- June 4, 2015 Lee's Summit City Council unanimously approved an updated Preliminary Development plan for the property to the north to facilitate development of Summit Innovation Center, consistent with the original approved overall preliminary development plan for Summit Technology Campus.

#### SITE DEVELOPMENT DATA

This development data provides specifications and requirements for development concepts illustrated in the site development plan. These requirements shall control and guide future development in accordance with the site development plan. Unless otherwise indicated in the site development plan, this data, or elsewhere in the narrative, all other provisions of the Lee's Summit UDO will be used to guide development.

Signage - The signage on site is anticipated to follow the Unified Development Ordinance standards including:

• 1 monument or landscape wall sign per building (72 s.f. sign face; 96 s.f. structure);

 Building signs: 3 per building or 2 per tenant; 10% of façade; 6 foot max letter height However, the distance between monument signs (75' per the UDO) may not be met dependent

on the final location and siting of individual buildings. A modification to this requirement for this sign location is anticipated.

This preliminary development plan anticipates the need for additional signs larger than those allowed by Chapter 13 of the Unified Development Ordinance, because of the unique nature multiple uses anticipated and potential support uses. Therefore, an allowance for two additional signs that may not conform to ordinance requirements for size, lighting, placement and other requirements are incorporated as part of this preliminary development plan. These signs will further the unique character of design and the uses that will be developed as part of Summit Orchards.

Lighting - The location and design of the lighting and fixtures will be determined as development occurs. The design of the lighting across the site will be in character with the design of the buildings on site and will be consistent across the site.

#### WAIVERS / REGULATIONS

Waivers from a few of the Unified Development Ordinance standards were adopted with the previous preliminary development plan adopted, per Section 2. 1.3.a.- d. of Ordinance No. 4793. Those waivers are included with this new preliminary development plan and will be used in the design of the development site and individual lots where appropriate.

#### Previously approved waivers.

 A walver for sidewalks on only one side of the Ward road where the hike and bike trail runs parallel to the road to link the park and pond areas.

#### Other Regulations

 Changes to this preliminary development plan, that are not in excess of 25 % of the defined standards, are acceptable and will be approved by administrative measures when submitted to the City for approval. In particular the building size or footprint size may change up to 25% as long as the other design items as defined in this preliminary development plan are met.

The anticipated phasing of development for Summit Orchards is described in Table #4.

<b>Phasing Plan</b>	n
Phase	Development
Phase 1	Residential
Phase 2	Commercial (retail/service)
Phase 3	Commercial (retail/service)
Phase 4	Office
Phase 5	Office

6

8

6

### Table #1: Preliminary Development Plan Comparison

Land Use Schedule					1			Parking		
Phase No.	Lund Árez	(Tepenisis	Footprint	Mail of Stapins	Filosi Area	Floor Ano Ration(FAR)	Use	Required		Proposes
Phase 3	D.M.Acres UR.25192 FL	No. Strengt stor Report	Takis	5	400,085 10, FD	653	Multilisatily	LTT NO ADDITE	124	585
Poste 3	7.55 Acres (9.76,805 50, FT.)	12-Steam star Report	Vanies	4	10,000 50, 17.	812	Simpping Center	1.5/MBUSI	110	385
							Restaucest	14871000 of		
Philise 3	8.48/cres (369,399 50, FL)	R:Summing Report	Stanies.	1	55,07850, FT.	\$178-	Sumping Cones	45/1068-2	325	432
							Bestansat	14/10001		
Phase 4	453 Aures (1742/03/2 FT.)	RE-Stansorthy Report	50002	8	50,000 SQ. FT.	8.39	office	4/3000148	305	789
Phose 5	2011 ADMS (946,881 50, FT.)	NC-Summerson Report	Varies	3	MELAD SOL FL	836	office	4/30003-3	- 600	48
Total	47.01 Acces (2,444,260 SQ. FT.)			1915	676309 SQ.FT.	8.55		1000	<b>17</b> 65	280

- Previously approved plan includes the following buildings in this vicinity (09, 012, 013, 014, 015, 016) Previously approved plan includes the following buildings in this vicinity (A1, and A2
- (3) Previously approved Plan includes the following buildings in this vicinity (F1, F2, F3)
- (4) Previously approved plan was parked at an overall rate of 3.72 spaces per 1,000 sq.ft., based on a combination of generally 5.5/1K office, 5/1K retail, and approximately 1.6/1K for Flex-Tech.
   The 90,000 sq. ft. identified in the illustrative plan as office use, could be developed as education/institution use with associated parking.

#### Site Development Standards

The site development concept prepared represents a development intensity less than that anticipated and approved by the previous preliminary development plan, see Table #1 for comparison. The site development concept represents an illustrative example of the potential implementation of the Lee's Summit Unified Development Ordinance development standards and the desired development uses, patterns, parking, landscaping and support elements for Summit Orchards. The site development standards included in this section are intended to provide flexibility and consistency in the future development of the overall development site and each lot, individually, within the development.

- Phases: Summit Orchards will consist of 5 phases defined by the adoption of this preliminary development plan included and implemented by the approval of a final plan and plat for each of the development phases and projects identified herein. Each lot will be developed according to the standards provided herein, and with regard to adjacent lot development, if applicable.
- Land Uses: To expand the future development potential of Summit Orchards a selection of appropriate uses has been identified for this development as well as each individual lot. The previously approved Preliminary Development Plan included office, retail and light industrial uses / flex-tech. The uses identified as appropriate for future development includes residential, office, shopping center (retail, restaurants, services and other commercial establishments), education, institution and elder care uses. Residential, education and institution uses represent new uses to the mix of uses in this area, as office and retail were approved within the previous development plan. The inclusion of education and institution uses are important to support the future development of the Missouri Innovation Campus to the north. Uses specific to individual lots within the Development Site are identified in Table #2.
- Development Plan Standards (Table #2): The plan standards for land area, pervious coverage, floor area, floor-area-ratio, height and land uses are defined in Table #2. The development standards have been prepared for each individual lot within Summit Orchards.

qouldevans

kansas city · lawrence · new orleans phoenix • san francisco • tampa

© 2016 Gould Evans

# SUMMIT ORCHARDS

Townsend Capital 11311 McCormick Road Suite 470 Hunt Valley, Maryland 21031 410.321.1900 voice

architect: **Gould Evans Associates** 4041 Mill Street Kansas City, MO 64111 816.931.6655 voice 816.931.6640 fax www.gouldevans.com

410.321.1901 fax

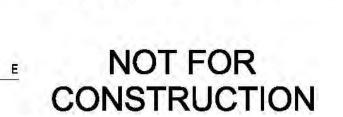
civil engineer: Trabue, Hansen & Hinshaw, Inc. 1901 Pennsylvania Drive Columbia, MO 65202 573.814.1568 voice 573.814.1128 fax

## THHinc MCLURE"

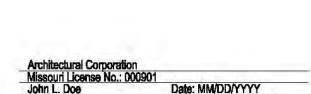
ENGINEERING CO. 1901 Pennsylvania Drive Columbia, MO 65202 P 573-814-1568 F 573-814-1128 MISSOURI CERTIFICATE OF AUTHORITY NO. E-2006023253

EXPIRES: DECEMBER 31, 2016

UNLESS & PROFESSIONAL SEAL WITH SIGNATURE AND DATE IS AFFIXED, THIS DOCUMENT IS PRELIMINARY AND IS NOT INTENDED FOR CONSTRUCTION, RECORDING PURPOSES OR



IMPLEMENTATION



Project No 0215-6450.01 March 4th, 2016 Date: **City Revision** April 5th, 2016

Narrative

## Narrative

3

**A1** 

PRELIMINARY PLAN



## **Zoning Verification Letter**



March 27, 2023

ZIPline 104 South Main Street, Suite 500 Greenville, SC 29601

VIA EMAIL TO: Rwarren@armadaanalytics.com

Re: 52-900-03-59-00-0-000 – 801 NW Donovan Rd 52-900-03-61-00-0-000 – 829 NW Donovan Rd

Mr. Warren:

The above-referenced properties are zoned PMIX (Planned Mixed Use District) under the Unified Development Ordinance (UDO), which is available online at <u>https://library.municode.com/mo/lee's summit/codes/unified development ordinance</u>. No overlay districts are present at the subject site.

According to the zoning ordinances and regulations established at the time of rezoning and plan approval, the existing apartment developments are uses permitted by right. Similarly based on the zoning ordinances and regulations established at the time of rezoning and plan approval, the current structures are legal conforming. The property was subject to site plan approval; copies of the approved site plans are attached.

No variances or special permits/exceptions have been granted/approved for either the use or structures of the subject properties. The approved ordinance that lists the conditions of approval governing the subject property accompany this letter.

In the event of casualty, in whole or in part, the zoning code allows for the reconstruction of the subject development in its current form.

There do not appear to be any outstanding/open zoning, building, or fire violations that apply to the subject property, nor are there condemnation or eminent domain proceedings.

This letter is provided at your request, and is based upon facts within the actual knowledge of City staff. City staff has not conducted any independent investigation of the current status or conditions of the Project or the conditions of the property on which the Project is located. Facts which are beyond the knowledge of City staff, regarding the current use or conditions of the Project, may change or modify the statements made in this letter.

If you have any questions or would like additional information, please feel free to contact me at 816-969-1238 or by e-mail at Hector.Soto@cityofls.net.



Sincerely,

Hector Soto, Jr., AICP, Senior Planner 220 SE Green Street | Lee's Summit, MO 64063 816.969.1237 |cityofLS.net | <u>Hector.Soto@cityofls.net</u>.

## **Code Violation Information**



#### FIRE DEPARTMENT

March 28, 2023

Randy Warren Armada Analytics 104 S Main Street Suite 500 Greenville, South Carolina 29601

RE: Summit Square, 789 NW Donovan

Dear Randy,

We have received your request for information on the buildings located at the Summit Square Apartments, 789 NW Donovan Road. There are currently no significant outstanding fire code issues with the buildings. The last inspection of the building common areas and clubhouse were completed on august 24, 2022.

The Lee's Summit Fire Department does not have any record or knowledge of any environmental hazards or other problems of a hazardous nature on this site.

If you have any questions, please call me at (816) 969-1303.

Respectfully,

imen

James Eden Assistant Chief / Fire Marshal Prevention Division

#### **Randy Warren**

From:	Trisha Fowler Arcuri <trisha.fowlerarcuri@cityofls.net></trisha.fowlerarcuri@cityofls.net>						
Sent:	Thursday, March 23, 2023 10:15 AM						
То:	Randy Warren						
Subject:	FW: Public Records Request Form Submitted - Randy Warren						
Attachments:	Codes Final Certificate of Occupancy.pdf; Codes Final Certificate of Occupancy.pdf;						
	Codes Final Certificate of Occupancy.pdf; Codes Final Certificate of Occupancy.pdf;						
	Codes Final Certificate of Occupancy.pdf; Codes Final Certificate of Occupancy.pdf;						
	Codes Final Certificate of Occupancy.pdf; Codes Final Certificate of Occupancy.pdf						

You don't often get email from trisha.fowlerarcuri@cityofls.net. Learn why this is important

Hello, I apologize, this one got lost in my email. I just sent this to Planning this morning for the approved site plan. Attached are the Certificates of Occupancy. There are no open code violations.

Thank you

×

Sara Beck | Office Coordinator 220 SE Green Street | Lee's Summit, MO 64063 816.969.1209 | cityofLS.net | Sara.Beck@cityofls.net

×

From: Trisha Fowler Arcuri <<u>Trisha.FowlerArcuri@cityofls.net</u>> Sent: Friday, March 17, 2023 12:15 PM

To: Sara Beck <<u>Sara.Beck@cityofls.net</u>>; Jeanne Nixon <<u>Jeanne.Nixon@cityofls.net</u>>; Jim Eden <<u>Jim.Eden@cityofls.net</u>>; Subject: FW: Public Records Request Form Submitted - Randy Warren

Trisha Fowler Arcuri | City Clerk 220 SE Green Street | Lee's Summit, MO 64063 816.969.1007 | <u>cityofLS.net</u> | <u>Trisha.FowlerArcuri@cityofls.net</u>

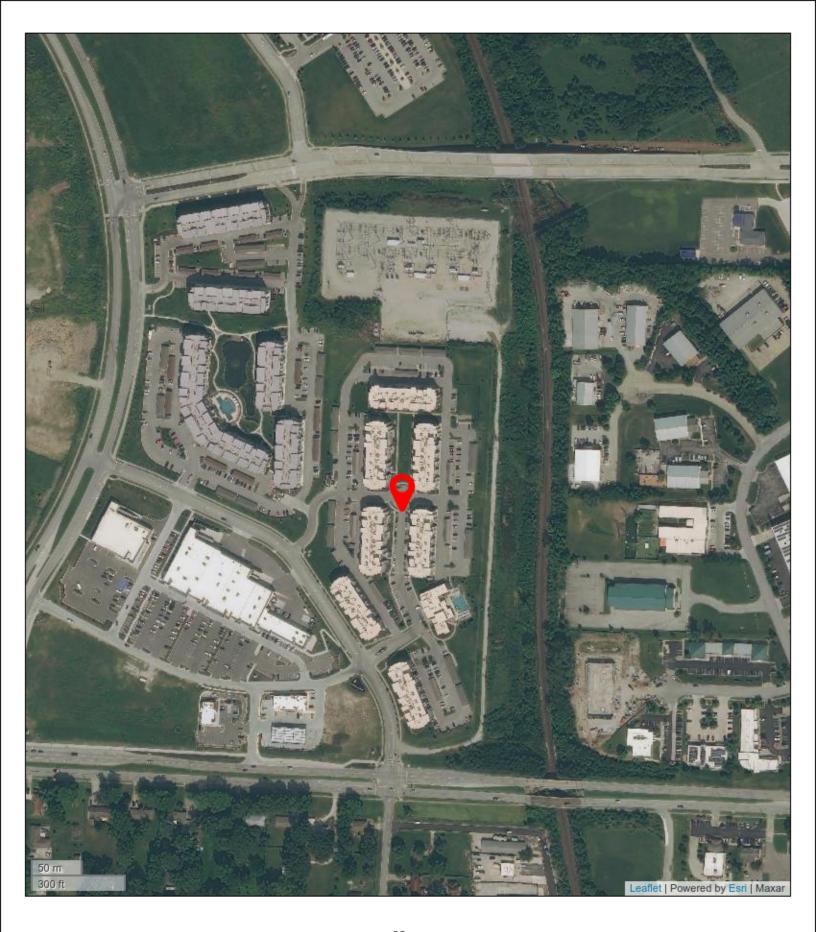
×

From: <u>RWarren@ArmadaAnalytics.com</u> <<u>RWarren@ArmadaAnalytics.com</u>>

Sent: Friday, March 17, 2023 12:13 PM

To: Stacy Lombardo <<u>Stacy.Lombardo@cityofls.net</u>>; Trisha Fowler Arcuri <<u>Trisha.FowlerArcuri@cityofls.net</u>> Subject: Public Records Request Form Submitted - Randy Warren

## **Property Identification**



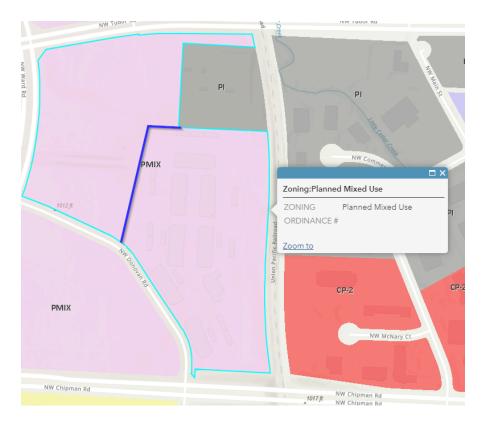


Map Job Reference # 0260900 Summit Square 789 Northwest Donovan Road Lee's Summit, MO 64086



# **Zoning Map**

### ZM - Summit Square Lee's Summit MO



# **Municipal Zoning Code**

#### Sec. 4.240. - PMIX Planned Mixed Use District.

#### A. <u>Statement of intent and purpose.</u>

- 1. It is the Governing Body's intent, in providing for a PMIX Planned Mixed Use District, to:
  - a. Allow greater flexibility in development standards (lot coverage, setbacks, building heights, lot sizes, etc.) to facilitate adaptation of development to the unique conditions of a particular site,
  - b. Permit a mixture of uses which, with proper design and planning, will be compatible with each other and with surrounding uses or zoning districts and will permit a finergrained and more comprehensive response to market demand, and
  - c. Obtain greater economic vitality, higher standards of site and building design, a high level of environmental sensitivity, and more satisfying living and working environments than can be achieved under the standards of other zoning districts.
- 2. <u>Applicability</u>. An area may be considered for rezoning to PMIX District if any one of the following conditions exist:
  - a. More than one land use is proposed for development on a single parcel, where only a single use is permitted under other zoning classifications.
  - b. Different land uses that would not otherwise be permitted to locate within the same zoning district are proposed for development on one or more adjacent parcels under single or separate ownership.
  - c. An exception or variation from the size, setback, frontage, density, uses or other standards that are required in other zoning districts permitting the same uses are being proposed as part of a development plan.

#### B. <u>Uses.</u>

#### 1. <u>Residential uses.</u>

a. Characteristics.

- (1) A PMIX may allow for a more flexible placement, arrangement and orientation of residential structures, with accompanying flexibility in the subdivision of land and the grouping of open space and accessory facilities such as garages and parking.
- (2) The PMIX also may provide for a mixture of housing types (single-family, two-family, multi-family, etc.) according to a carefully drawn plan.
- (3) The proposed residential development shall make maximum use of natural features, and, through proper site planning measures, it shall be compatible with the existing character and development pattern of the surrounding area.
- b. <u>General requirements.</u> The following special items shall be included in the final development plan application:
  - (1) The proposed architectural style and siting of all duplex and multi-family structures shall be indicated.
  - (2) If development standards (lot coverage, setbacks, building heights, lot sizes, etc.) are not specifically proposed by the applicant or specific standards are not established by the Governing Body at the time of approval, then the applicable standards of the R-1 District shall apply.
- 2. Office uses.
  - a. <u>Characteristics</u>. A PMIX may contain orderly, well-designed office and institutional uses compatible with the surrounding area.
  - b. <u>Requirements.</u> If development standards (lot coverage, setbacks, building heights, lot sizes, etc.) are not specifically proposed by the applicant or specific standards are not established by the Governing Body at the time of approval, then the applicable standards of the PO District shall apply.
- 3. Commercial uses.
  - a. <u>Characteristics.</u> A PMIX may provide for maximum attainable commercial usage of property while ensuring development consistent with the Governing Body's long-range plans.

b.

#### Lee's Summit, MO Unified Development Ordinance

<u>Requirements.</u> If development standards (lot coverage, setbacks, building heights, lot sizes, etc.) are not specifically proposed by the applicant or specific standards are not established by the Governing Body at the time of approval, then the applicable standards of the CP-2 District shall apply.

- 4. Industrial uses.
  - a. Characteristics. A PMIX may contain land designated for a single industrial use or for multiple but compatible industrial uses in an industrial park.
  - b. <u>Requirements.</u> If development standards (lot coverage, setbacks, building heights, lot sizes, etc.) are not specifically proposed by the applicant or specific standards are not established by the Governing Body at the time of approval, then the applicable standards of the PI-1 district shall apply.
- 5. <u>Special uses</u>. Approval of a use requiring a "special use permit" shall be considered as an amendment to the PMIX District. In considering a "special use permit," in addition to criteria of <u>Article 6</u>, Division III, all rezoning considerations for a PMIX District shall be applicable.
- C. <u>Height and area regulations.</u>
  - 1. Densities, lot sizes, structure heights and structure setbacks are established a part of the zoning approval for each particular PMIX zoning approval. The maximum structure height requirements applicable to this district are found in Table 6-4 in Article 6, Division I.
- D. <u>Performance and design standards.</u>
  - 1. Design standards are applicable to development in this district. (See Article 8, Division I.) Standards are established in the zoning approval for the PMIX.
  - 2. Parking regulations: (See<u>Article 8</u>, Division II.)
  - 3. Sign regulations: (See Article 9 in Article 6, Division I.)
  - 4. Landscaping, buffering and tree protection: (See <u>Article 8</u>, Division III.)
  - 5. Minimum site requirements.
    - a. A site proposed for a PMIX District classification shall contain a contiguous area of five acres or more, unless a smaller area is specifically approved by the Governing Body due to special and unusual circumstances. Property shall be deemed to be contiguous if all parts are under unified control, to ensure that the development plan can be executed as approved, and all parts abut or are separated by only a road, easement, or right-of-way.
    - b. The site shall abut a public street for a distance of at least 100 feet.
  - 6. Open space.
    - a. All open spaces not proposed for dedication to the City shall have the proposed maintenance and ownership agreements explained in detail.
    - b. The landowner shall establish an organization for ownership and maintenance of common open space, and that organization shall not be dissolved nor shall it dispose of any common open space, by sale or otherwise (except to an organization conceived and established to own and maintain the common open space). The conditions of any transfer shall conform to the approved final development plan. The final development plan application shall include a description (in narrative form) of the ownership and maintenance organization and copies of any covenants, restrictions, by-laws and agreements proposed. If the maintenance organization will be a corporation, a copy of the articles of incorporation shall be included in the final development plan application.
    - c. The Director may stipulate additional provisions for minimum widths and areas, interconnection, desirable features, uses of open space and access to open space. The Director shall ensure that land counted as open space is usable by and suitable for occupants of the development and that it enhances the value of the area.

#### 3/31/23, 7:23 PM

Sec. 6.030. - Minimum lot size.

Every property upon which a principal use may be located shall meet or exceed the following requirements for its respective zoning district:

### <u> Table 6-2</u>

### <u>Minimum Lot Sizes</u>

Zoning District	Density*	Minimum Lot Size (per unit)	Minimum Lot Width Major Streets**	Minimum Lot Width Other Streets
AG	2 units/10 acres (under the same ownership)	10 acres minimum for either 1 or 2 DU's	330 feet	330 feet
RDR	1 unit/acre	1 acre	150 feet	150 feet
RLL	NA	.5 acre	NA	90 feet
R-1	4 units/acre	8,400 s.f.	NA	70 feet
RP-1	4 units/acre 6/acre w/bonuses	6,600 s.f.	NA	60 feet (s.f.) - Clusters may vary (determined at preliminary plan approval)
RP-2	7.5 units/acre	6,000 s.f. (Single-Family) 4,500 s.f. (Duplex)	NA	60 feet (Single-Family); Clusters may vary (determined at preliminary plan approval) 80 feet (Duplex)
RP-3	10 units/acre	4,000 s.f.	NA	50 feet (s.f.) — Clusters may vary (determined at preliminary plan approval) 35 feet per unit for Duplex, Triplex or Quadplex
RP-4	12 units/acre	3,500 s.f.	Per Approved Plan	Per Approved Plan
PRO	Max25 FAR (Maximum Building Size 2,500 s.f.)	NA	NA	NA

NFO	N/A	60% Max. Lot Coverage	NA	NA
TNZ	NA	80% Max. Lot Coverage	NA	NA
PO	Max55 FAR	1 Acre	175 feet	NA
CP-1	Max20 FAR	20,000 s.f.	100 feet	NA
CP-2	Max55 FAR	20,000 s.f.	100 feet	NA
CBD	Max. 1.0 FAR	NA	NA	NA
CS	Max65 FAR	NA	NA	NA
PI	Max. 1.0 FAR	NA	NA	NA
AZ	Per Approved Plan	NA	NA	NA
PMIX	Densities and lot sizes established as part of zoning approval for each development	As specifically approved per development plan	Per Approved Plan	100 feet

\*FAR — Floor Area Ratio: Ratio of building square footage to lot square footage.

\*\* Major streets include highways and existing and proposed 4-lane streets.

NA — Not Applicable.

Sec. 6.040. - Minimum principal building setbacks.

All principal buildings on a lot shall be set back from the street rights-of-way lines and property lines bounding the lot no less than the distances shown in Table 6-3:

<u>Table 6-3</u> <u>Minimum Principal Building Setbacks</u>

Zoning	Front Yard*		Side Yard ++	Rear Yard
District	Major Street**	All Other Streets	-	
AG, RDR	100 feet or as established by existing homes on the same side of street	50 feet or as established by existing homes on the same side of street	50 feet	50 feet
RLL	30 feet	30 feet	10 feet	30 feet
R-1	NA	30 feet	7.5 feet	30 feet
RP-1	50 feet	20 feet Bldg. and 25 feet Garage (Front facing) 20 feet (side entry garage)	5 feet	20 feet; 4 feet (Alley Entry Garage)
RP-2	50 feet	n	п	п
RP-3	50 feet	20 feet Bldg. and 25 feet Garage	SF and 2F- 5 feet Multifamily: 10-feet from lot line and 20 foot separation between buildings	SF and 2F - 20 feet; 4 feet (Alley Entry Garage) MF 30 feet
RP-4	50 feet	20 feet	10-feet from lot line and 20-foot separation between buildings	20 feet
PRO	15 feet minimum or within 5 feet of the established median setback of the structures on the adjoining property		15 feet	15 feet
NFO		15 feet minimum or within 5 feet of the established median setback of the structures on the adjoining property		4 feet (Alley Entry Garage)
TNZ	0—15 feet Max. or within 5 feet of the median setback of the structures on adjoining property		5 feet except for zero lot line developments	15 feet; (Alley garage 4 feet)

PO			15 feet, 0 feet for interior lot lines, 20 feet between buildings	20 feet
CP-1	Max. of 0—5 feet for Building Max. of 0—5 feet for Building		None Required	None Required
CP-2	15 feet Arterial; 0 feet other streets if main entry and any display windows face street, otherwise 15 feet		10 feet, 0 feet for interior lot lines	20 feet
CBD	Max. of 0—5 feet for Building	Max. of 0—5 feet for Building	None Required	None Required
CS	20 feet		20 feet	20 feet
Ы	20 feet		10 feet	20 feet
AZ	Same as Pl Same as Pl		Same as Pl	Same as Pl
PMIX	Setbacks established as part of zoning approval for each planned development			nt

\* Front yard setback may be reduced by 5 feet if garage is accessed from alley.

\*\* Major streets include highways and existing and proposed 4-lane streets.

++Not applicable for townhouses, except for end units.

Sec. 6.050. - Maximum structure heights.

The maximum height of all structures in each zoning district (except as provided in the subsections below) shall be as follows:

<u> Table 6-4</u>

#### Maximum Structure Heights

Zoning District	Maximum Structure Height in feet (stories)
AG, RDR, RLL	40
R-1, RP-1	40 (3 stories)
RP-2	40 (3 stories)

RP-3	45 (3 stories)
RP-4	50 (4 stories)
PRO	40 (3 stories)
NFO	40 (3 stories)
TNZ	40 (3 stories)
РО	75 (5 stories)
CP-1	35 (3 stories)
CP-2	40 (3 stories)
CBD	50 (4 stories)
CS	50 (4 stories)
Ы	NA
AZ	FAA Approved
РМІХ	Height established as part of zoning approval for each Planned Development

Sec. 6.060. - Additional height and yard regulations.

- A. <u>Height.</u>
  - 1. <u>Exemptions.</u> The following are exempt from the district height standards:
    - a. Agricultural buildings such as but not limited to barns, silos, windmills, grain elevators, and other farm structures, but not including dwellings.
    - b. Cooling towers, gas holders, or other industrial structures where required as part of the manufacturing process.
  - 2. <u>Additional regulations.</u> The regulations and requirements as to height of buildings, and area of lots which may be occupied by buildings, yards and other regulations and requirements in the foregoing sections of this ordinance, shall be subject to the following exceptions and additional regulations:
    - a. In any district, public or semi-public buildings, such as hospitals, hotels, churches, sanitariums or schools, either public or private, where permitted, may be erected to a height not exceeding 75 feet, provided that such buildings shall have yards the depth and width of which shall be increased one foot on all sides for each additional foot that such

#### Lee's Summit, MO Unified Development Ordinance

buildings exceed the specified height limit as established by the regulations of the district in which such buildings are situated.

- b. Parapet walls and false mansards shall not extend more than six feet above the height limit. Flagpoles, chimneys, cooling towers, electric display signs, elevator bulkheads, penthouses, finials, gas tanks, grain elevators, stacks, storage towers, radio, television or microwave towers, ornamental towers, monuments, cupolas, domes, spires, standpipes, and necessary mechanical appurtenances may be erected to a height in accordance with existing or hereafter adopted ordinances of the City of Lee's Summit, Missouri.
- B. <u>Yard exceptions and additional regulations.</u>
  - 1. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projections of sills, belt courses, canopies, cornices, chimneys, buttresses, ornamental features and eaves. None of the above projections shall extend into a court or into a minimum yard more than 36 inches.
  - 2. An open fire escape may project into a required side yard not more than half the width of such yard, but not more than four feet. Fire escapes, solid floored balconies and enclosed outside stairways may project not more than four feet into a required rear yard.
  - 3. In computing the depth of a rear yard for any building where such yard abuts an alley, one-half of such alley may be assumed to be a portion of the rear yard.
  - 4. Condominium ownership shall not constitute violation of the lot and yard requirements of this ordinance.
  - 5. Irregular lots, only within districts R-1 and RP-1, lots that are irregular in shape, i.e., the lot dimensions are such that it would be difficult to place a home within the building envelope established by the required setbacks (as determined by the Director), may be averaged. Examples of such lots may include:
    - a. Lots that get significantly narrower from front to back.
    - b. Lots where side lot lines are not equal in length thereby producing an odd shaped lot.
    - c. Lots referred to as "flag" lots that have a very narrow access and then open into normal size and shaped lots may utilize the averaging only if the resulting area beyond the narrow access meets one of the other criteria as mentioned above.

In order to determine the dimension allowed for the rear yard, each side of the existing or proposed structure shall be extended in a straight line to its point of intersection with the property line. One additional measurement shall be included in the calculation and shall be determined by drawing a perpendicular line from the center of the structure to the property line. An average of these three measurements shall equal a minimum of 30 feet in R-1 and 20 feet in RP-1.

- 6. Corner lots in Districts R-1 and RP-1. (See Table 6-5)
  - a. On corner lots where no adjacent interior lot faces the side street, there shall be a side yard on the street side of not less than 15 feet.
  - b. On corner lots where adjacent interior lots have been platted fronting the street the required setback shall be either equal to the front yard setback of the adjacent interior lot or may be reduced by not more than five feet.
- 7. Homes angled on corner lots, in R-1 and RP-1 Districts where a home is to be angled on a corner lot the two front yard setbacks may both be reduced by five feet according to its respective district requirement. The other lot lines shall maintain a minimum setback of seven and one-half feet. (See Table 6-5).
- 8. Single-family homes shall be a minimum of 720 square feet.

#### <u> Table 6-5</u>

#### Corner Lot Minimum Principal Building Setbacks

Situation Front Street	Side Street	Side Yard	Rear Yard	
------------------------	-------------	-----------	-----------	--

#### Lee's Summit, MO Unified Development Ordinance

Corner lot to corner lot	30 feet (R-1) 20 feet for building (RP-1) 25 feet for garage (RP-1))	15 feet (R-1) and (RP-1)	7.5 feet (R-1) 5 feet RP-1)	30 feet (R-1) 20 feet (RP-1)
Corner lot to Interior lot	25 feet (R-1) 25 feet (RP-1) *See Table 5-3 for exceptions	25 feet (R-1) 25 feet (RP-1) *See Table 5-3 for exceptions	7.5 feet (R-1) 5 feet (RP-1)	30 feet (R-1) 20 feet (RP-1)
For Homes Angled on Corner Lo	ts			
Corner lot to corner lot	25 feet (R-1) 15 feet (RP-1)	25 feet (R-1) 15 feet (RP-1)	7.5 feet (R-1) and (RP-1)	7.5 feet (R-1) and (RP-1)

### Sec. 8.530. - Vehicle parking.

- A. <u>Required spaces.</u>
  - 1. Table 8-1 shall be utilized to determine the minimum number of parking spaces to be provided. For uses not specifically identified, the Director shall establish the parking requirements either based upon a listed use deemed most similar to the proposed use or based upon industry standards.
  - 2. The number of parking spaces to be provided for a particular use or development may be established through approval of an Alternate Parking Plan as described in this division. Use of an Alternate Parking Plan is encouraged in order to tailor the parking to the particular needs of the use or development and to allow introduction of operational solutions such as ride-sharing programs, shared parking or remote employee parking lots.
- B. Dedication to parking use.
  - 1. <u>Parking lots.</u> Unless approved otherwise, parking spaces located in parking lots provided to meet the minimum requirements of this division, along with the aisles and driveways necessary to provide access to those spaces, shall not be used for any other purpose than temporary vehicle parking. Specifically, no such parking area may be used for the sale, repair, dismantling or servicing of any vehicles, or for the sale, display or storage of equipment, goods, materials or supplies, except as further provided in this chapter or as specified in Chapter 16 Lee's Summit Property Maintenance Code of the Lee's Summit Code of Ordinances.
  - 2. <u>Multi-family residential parking</u>. Multi-family residential parking lots shall comply with Subsection 1. above.
  - 3. <u>Single-family residential parking</u>. Enclosed garage parking and associated driveways shall be used to meet minimum parking requirements. Garages may also be used for accessory storage provided there is still room for at least one vehicle. For inoperable vehicle maintenance and repair see Section 8.650.B. of this division.
- C. <u>Computation of required parking.</u>
  - 1. <u>Multiple uses.</u> Except as approved otherwise, developments containing two or more uses shall have the total number of parking spaces required for each use.
  - 2. <u>Floor area.</u> All required parking calculations shall be based on gross floor area unless otherwise stated. Gross floor area (gfa) shall mean the total area of all floors, measured between the exterior walls of a building. Gross leasable area (gla) shall mean the total area of all floors intended for occupancy and the exclusive use of tenants, specifically excluding public or common areas such as utility rooms, stairwells, enclosed malls and interior hallways.
  - 3. <u>Fractions.</u> Whenever the computation of the number of parking spaces required by this division results in a fractional parking space, one additional parking space shall be required for one-half or more fractional parking space, and any fractional space less than one-half of a parking space shall not be counted.

#### Table 8-1 MINIMUM PARKING BY USE

Use	Number of Parking Spaces	Required for Each
RESIDENTIAL		
Single-family residence	2	Dwelling unit (fully enclosed)
Single-family residence in a planned district	2	Dwelling unit (one must be fully enclosed)
Single-family residence — Old Lee's Summit Neighborhood	2	Dwelling unit (one must be fully enclosed)

Two-family, Three-family or Four-family residences	2	Dwelling unit (one must be fully enclosed) Visitor parking per plan approval
Loft dwelling	1	Dwelling unit
Dwelling units above 1st floor commercial in the Downtown Core area	.5	Dwelling unit
Multi-family residence	1 1.5 2 plus 0.5	Efficiency or studio unit 1 or 2 bedroom unit 3 or more bedroom unit per unit for visitor parking
Bed and breakfast — Home stay (max. 3 rooms), rooming house, boarding house	2 1	Residence Room for rent
Bed and breakfast inn (max. 12 rooms)	1 1	Room for rent Employee on maximum shift
Group homes	1.5	Employee on maximum shift
Group living quarters: Fraternity & sorority houses, dormitories, etc.	1	2 residents or beds
Hotel or motel with a restaurant or lounge open to the public	1.5	Room
Hotel or motel with no restaurant or lounge; or with a restaurant or lounge provided for guests only	1	Room
Nursing home/elder care	1 plus 1	2 beds Employee on maximum shift
Retirement community	1 plus 1	Dwelling unit Employee on maximum shift
COMMERCIAL	1	1

### Non-Conforming Use & Structure Rebuildability Clause

ARTICLE 10. - NONCONFORMING SITUATIONS AND VESTED RIGHTS

Sec. 10.010. - Definitions.

Unless otherwise specifically provided or unless clearly required by the context, the words and phrases defined in this section shall have the meaning set forth in this section when used in this article.

<u>Cost</u> means the cost of renovation, repair or restoration shall mean the fair-market value of the materials and services necessary to accomplish a renovation, repair or restoration. Cost shall mean the total cost of all intended work, and no person may avoid the intent of this definition by doing the intended work incrementally.

<u>Effective date of this chapter</u> means whenever this chapter refers to the effective date of this chapter, the reference shall include the effective date of any ordinance that amends this chapter, if the ordinance, rather than this chapter as originally adopted, creates a nonconforming situation.

Expenditure means a sum of money paid in return for some benefit or to fulfill some obligation. The term also includes binding contractual commitments to make future expenditures, as well as any other substantial changes in position.

<u>Nonconforming lot</u> means a nonconforming situation existing on the effective date of this chapter that occurs when a lot (not created for purposes of evading the restrictions of this chapter) does not meet the minimum area requirement of the applicable zoning district.

<u>Nonconforming project</u> means any structure or development that is incomplete on the effective date of this chapter and would be inconsistent with one or more of the applicable zoning district regulations, if completed as proposed or planned.

<u>Nonconforming sign</u> means a nonconforming situation existing on the effective date of this chapter when an existing sign does not conform to one or more of the regulations set forth in <u>Article 9</u>.

<u>Nonconforming site improvement</u> means a nonconforming situation existing on the effective date of this chapter that occurs when a site improvement on a lot, including but not limited to parking areas, storm drainage facilities, sidewalks and landscaping, does not conform to one or more of the applicable zoning district regulations.

Minor repairs or renovation means repairs or renovation costs that do not exceed ten percent of the structural value of a structure or site improvement.

<u>Nonconforming use</u> means a primary use of property existing on the effective date of this chapter that occurs when property is used for a purpose or in any manner made unlawful by the use regulations or performance and design standards applicable to the zoning district in which the property is located. The term also refers to the activity that constitutes the use made of the property. The term does not refer to accessory use of property.

<u>Nonconforming situation</u> means a situation that occurs when, on the effective date of this chapter, an existing lot, structure or improvement, or the use of an existing lot, structure or improvement no longer conforms to one or more of the applicable zoning district regulations.

Structural value means the present day cost of a structure or its replacement value if destroyed.

Sec. 10.020. - Nonconformities in general.

#### Lee's Summit, MO Unified Development Ordinance

Within the zoning districts established by this chapter or its subsequent amendment, there exist a) lots; b) structures; c) uses of structures; e) uses of land and structures in combination; and f) characteristics of use, which were lawful before this chapter was adopted or amended, but which would now be prohibited, regulated or restricted under the terms of this chapter or its subsequent amendment. Such instances shall hereafter be considered lawful nonconformities.

#### Sec. 10.030. - General statement of intent.

It is the intent of this chapter to recognize the legitimate interest of owners of lawful nonconformities by allowing such lawful nonconformities to continue, subject to the provisions contained herein. At the same time, it is recognized that lawful nonconformities may substantially and adversely affect the orderly development, maintenance, use and taxable value of other property in the same zoning district, property that is itself subject to the regulations and terms of this chapter. In order to secure eventual compliance with the Comprehensive Plan and with the standards of this chapter, it is therefore necessary to carefully regulate lawful nonconformities and to prohibit the re-establishment of such nonconformities that have discontinued.

To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the adoption or amendment of this chapter and upon which actual building construction has been carried on diligently. "Actual building construction" is hereby defined to include the placement of construction materials in permanent position and fastened in a permanent manner.

#### Sec. 10.040. - Lawful nonconformities.

- A. Lots. Any lot having insufficient area, width or depth for the zoning district in which it is located, or insufficient frontage on an improved public or private street of a planned district, or any combination thereof, shall be considered a lawful nonconforming lot only if:
  - 1. It was lawfully platted and recorded and on file in the office of the Jackson County Recorder prior to the adoption of this article;
  - 2. There has been a building permit issued on that lot; or
  - 3. It was lawfully recognized by the City prior to August 1, 2001.

On any single lawful nonconforming lot within a zoning district which permits single-family detached residential dwellings, one such dwelling may be constructed by right, provided that height, lot coverage, and off-street parking requirements of the zoning district within which the parcel is located are complied with, and all appropriate permits are obtained prior to any construction activity.

- B. Further, no such lot or portion thereof shall be used or sold in a manner which will increase its degree of nonconformity. Structures that were lawfully constructed prior to the adoption of this chapter, but which could not be constructed under the terms of this chapter by reason of restrictions on area, lot coverage, height, setbacks (yards), location on the lot or other requirements concerning structures, shall hereafter be considered lawful nonconforming structures. As such, they may continue to exist so long as they remain otherwise lawful, provided that no reconstruction, enlargement or alteration of said structures shall occur that will increase their nonconformity except as provided for in <u>Section 10.070</u> of this chapter. However, any lawful nonconforming structure or portion thereof may be altered to reduce its nonconformity.
- C. Uses.
  - Uses of land. Any use of land, or use of land which involves no individual structure with a replacement value exceeding \$1,000.00 which would not be permitted under the terms of this chapter but was lawfully existing at the time of the adoption of this chapter, shall hereafter be considered a lawful nonconforming use of land. As such, it may be continued so long as it remains otherwise lawful and provided that no enlargement, increase or extension of the lawful nonconforming use of land occurs so that a greater area of land is occupied than what was occupied at the time of the adoption of this chapter, and that no additional structures or additions to structures existing at the time of the adoption of this

#### 3/31/23, 6:36 PM

#### Lee's Summit, MO Unified Development Ordinance

chapter shall be constructed on the same zoning lot. Further, no such lawful nonconforming use of land shall be moved or relocated in whole or in part to any other portion of the zoning lot on which it is located than that portion occupied at the time of the adoption of this chapter. If any lawful nonconforming use of land ceases for any reason for a period of more than 180 consecutive days, any subsequent use of such land shall conform to the terms of this chapter.

- 2. Uses of structures. Any use of a structure with a replacement cost of \$1,000.00 or more which would not be permitted under the terms of this chapter but was lawfully existing at the time of the adoption of this chapter shall hereafter be considered a lawful nonconforming use of that structure. As such, it may be continued so long as it remains otherwise lawful and provided that the structure in which the lawful nonconforming use is located shall not be enlarged, extended, constructed, reconstructed, moved, relocated or structurally altered except in changing the use to a permitted use in the district in which it is located or as otherwise provided for in this chapter. However, a lawful nonconforming use of a structure may be extended throughout any parts of the structure in which it is located where said structure or parts thereof were manifestly arranged or designed for such use at the time of adoption of said chapter, but no lawful nonconforming use of a structure shall be extended to occupy any land outside such structure. If any lawful nonconforming use of a structure is discontinued for any reason for a period of one year, (except when government action impedes access to the premises), such structure shall only thereafter be used in conformity with the terms of this chapter.
- 3. Uses of land and structures in combination. Any use of land in combination with a structure with a replacement cost of more than \$1,000.00 which would not be permitted under the terms of this chapter but was lawfully existing at the time of the adoption of this chapter shall hereafter be considered a lawful nonconforming use of land and structure in combination. As such, it may continue so long as it remains otherwise lawful and provided the use complies with the provisions herein.
- 4. <u>Characteristics of use</u>. When an otherwise lawful existing use is permitted generally in any given zoning district but where, due to adoption of this chapter, required off-street parking, paving of residential driveway, paving commercial drive access and parking area, landscaping, screening and similar regulations are not provided, such deficiencies attributable to the use shall be considered lawful, nonconforming characteristics of use. Said deficiencies shall be brought into conformance when the use they are attributable to is expanded, enlarged or the intensity is increased, even though the use is permitted generally.

Sec. 10.050. - Change from one nonconforming use to another.

One existing lawful nonconforming use of a structure may be changed to one other nonconforming use of the same structure by the Director based upon review of the following criteria and when deemed that such a change will not adversely affect the purpose and intent of this chapter. If any of the criteria cannot be met or are violated due to the requested change from one nonconforming use to another, then the request shall be reviewed by the Board in accordance with the provisions set forth in <u>Section 10.090</u> of this chapter for their disposition:

- 1. The proposed use is no more intensive than the existing use;
- 2. The proposed use occupies no more area of the structure than the existing use;
- 3. The proposed use requires no more off-street parking than the existing use; and
- 4. Existing lawful nonconforming uses of a structure that changes owners but continue the same use shall be permitted to do so provided that an agreement is signed by the new owner and Director stating that the new owner agrees to all conditions placed on the previous owner and use(s) of the structure.
- 5. All signage for the existing use shall be removed and all signage for the proposed use shall conform to the underlying district in which it is located as provided in <u>Article 9</u> of this chapter except that where signage is prohibited then one wall mounted sign of a maximum area not to exceed five percent of the wall area shall be permitted and the proposed use otherwise complies with the terms of this chapter and approval has first been obtained from the Board, when required, before any change or conversion is commenced.

Sec. 10.060. - Lawful nonconforming uses superseded.

Anywhere a lawful nonconforming use is superseded by a permitted use, such lawful nonconforming use shall not thereafter be resumed.

Sec. 10.070. - Reconstruction of certain lawful nonconforming structures.

Should any lawful nonconforming structure be destroyed by any means to an extent of more than 50 percent of its replacement cost at the time of destruction, it may only be reconstructed in conformance with the provisions of this chapter; except that lawful nonconforming structures that are single family detached dwellings, duplexes or townhouses of not more than two laterally attached single family dwellings, or multi-family dwellings/townhouses not exceeding four units may be reconstructed to their former condition, dimensions and location on the lot provided that the destruction was caused by an accident or act of God occurring after the adoption of this chapter and such reconstruction does not increase the degree of nonconformity that existed prior to the destruction. Reconstruction of a lawful nonconformity, where permitted, must commence within 24 months of destruction. In such case where reconstruction does not commence within this limited time frame, the nonconformity will be considered abandoned and such structure shall only be reconstructed as a permitted use.

#### Sec. 10.080. - Prohibition on the re-establishment of nonconforming uses and structures in combination.

Where nonconforming status applies to a use and structure in combination, and where removal or destruction of said structure was caused by an accident or act of God after the adoption of this chapter, and where removal or destruction exceeded 50 percent of the cost to replace said structure, the re-establishment of the nonconforming use shall be prohibited.

#### Sec. 10.090. - Appeals.

Appeals from an administrative decision related to this article shall be made in accordance with <u>Article 11</u> of this chapter.

#### Sec. 10.100. - Completion of nonconforming projects—Vested rights.

All nonconforming projects with respect to which a permit was issued prior to the effective date of this chapter and that are at least ten percent completed in terms of the total expected cost of the project on the effective date of this chapter may be completed in accordance with the terms of their permits, so long as those permits were validly issued, remain unrevoked and unexpired. If a development has been approved for completion in stages, this subsection shall apply only to the phase that is under construction.

#### Sec. 10.110. - Exception for residential nonconforming use.

Any structure used as a single-family home and maintained as a nonconforming use may be enlarged or replaced with a similar structure of a larger size, so long as the enlargement or replacement does not create new nonconformities or increase the extent of the existing nonconformities with respect to such matters as setback and parking requirements.

Detached accessory structures may be permitted for single family residential uses that are non-conforming uses in the district in which they are located, provided they meet the lot area and setback requirements of an R-1 district, and all other code and regulations are met.

#### Sec. 10.120. - Repair, maintenance and restoration.

Minor repairs to and routine maintenance of structures and property, where nonconforming situations exist, are permitted and encouraged. Major renovation, i.e., work estimated to cost more than 50 percent of the structural value of the structure to be renovated, shall not be permitted except as further provided for herein.

Sec. 10.130. - Burden to establish entitlement of continuation.

The burden shall be on the landowner or developer to establish entitlement to continuation of nonconforming situations or completion of nonconforming projects.

Sec. 10.140. - Nonconforming signs.

- A. Continuance of nonconforming signs. Subject to the restrictions of this section, nonconforming signs that were otherwise lawful on the effective date of this chapter may be continued.
- B. <u>Prohibition on expansion of nonconforming signs</u>. No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. Without limiting the generality of the foregoing, no nonconforming sign may be enlarged or altered in a manner that aggravates the nonconforming condition, nor may illumination be added to any nonconforming sign.
- C. <u>Sign conformance with chapter.</u> A nonconforming sign may not be moved or replaced, and the face of a sign may not be changed, except to bring the sign into complete conformity with the provisions of <u>Article 9</u>; provided that "sign maintenance" as defined in this chapter may occur and is encouraged.
- D. <u>Maintenance and repair</u>. Subject to the other provisions of this section, nonconforming signs may be maintained and repaired so long as the cost of the work within any 12-month period does not exceed 50 percent of the value (tax value if listed for tax purposes) of the sign. No such work shall be done until the person proposing to do the work first submits the information required to satisfy the Director and the Director determines that the cost of the work will not exceed 50 percent of the sign.
- E. <u>Abandonment of nonconforming sign</u>. If a nonconforming sign, other than a billboard, advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be deemed abandoned and shall be removed within 30 days after the abandonment by the sign owner, owner of the property where the sign is located, or other person having control over the sign.

#### Sec. 10.150. - Nonconforming billboards.

- A. <u>Continuance of nonconforming billboards.</u> Subject to the restrictions of this section, nonconforming billboards may be continued.
- B. <u>Limitation on expansion of nonconforming billboards</u>. No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming billboard. Without limiting the generality of the foregoing, no nonconforming billboard may be enlarged or upgraded in any manner that aggravates the nonconforming condition, except that a nonconforming billboard may be upgraded to a digital billboard but only as provided in Subsection C. below.
- C. Conversion of nonconforming billboards. Nonconforming billboards may only be converted to digital billboards upon approval of an application for a special use permit, acquisition of all necessary permits and approvals, and compliance with each of the following conditions:
  - 1. For every nonconforming billboard sign ("face") that is proposed to be converted to digital, two billboard faces owned by the applicant and located within the jurisdictional limits of the City must be permanently removed.
  - 2. The overall size of the message board or screen on the converted billboard shall not be increased in size by more than ten percent of its existing size.
  - 3. The digital faces on the converted billboard must comply with all of the requirements of this article and all other applicable legal or regulatory provisions.
  - 4. When an existing legal nonconforming billboard is converted to a digital billboard, the converted digital billboard shall retain its legal nonconforming status as a billboard and shall remain subject to the regulations of this article.
  - 5. Except in the case of a conversion of an existing traditional billboard to a digital billboard, the removal of billboard faces for exchange purposes must include removal of the supporting structure(s) upon which the billboard faces are located.
  - 6. All applications for conversion of a traditional billboard face to a digital billboard face must identify the traditional billboard faces to be removed. The City's issuance of a permit for a digital billboard that is converted under the terms of this article shall only occur in conjunction with the issuance of permits for the demolition or removal of the billboard faces identified for removal. The billboard faces to be exchanged must be removed completely prior to the City's issuance of a certificate of completion for the digital billboard face, and

#### 3/31/23, 6:36 PM

#### Lee's Summit, MO Unified Development Ordinance

shall remain as a condition of approval of the special use permit. The removal of billboards or billboard faces occurring prior to the effective date of this section shall not be counted for exchange purposes under this section.

- D. <u>Illumination</u>. Except for the internal illumination accompanying a billboard that is converted in accordance with subsection C above, no other illumination shall be added to any nonconforming billboard.
- E. <u>Billboard conformance with this chapter</u>. A nonconforming billboard may not be moved or replaced, except to bring the billboard into complete conformity with this chapter; provided that sign maintenance as defined herein may occur and is encouraged.
- F. If a nonconforming billboard remains blank for a continuous period of 180 days, that billboard shall be deemed abandoned and, within 30 days after such abandonment, shall be altered to comply with this and all applicable provisions of <u>Article 9</u> or be removed by the sign owner, owner of the property where the sign is located, or other person having control over the sign. For purposes of this section, a sign is "blank" if:
  - 1. It advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted;
  - 2. The advertising message it displays becomes illegible in whole or substantial part; or
  - 3. The advertising copy paid for by a person other than the sign owner or promoting an interest other than the rental of the sign has been removed.

## **Certificate of Occupancy**

**CODES ADMINISTRATION** 

# **Certificate of Occupancy**

This Certificate is issued pursuant to the requirements of Chapter 7 of the Lee's Summit Code of Ordinances, certifying, based upon the inspections performed, that at the time of issuance this structure was in substantial compliance with the ordinances of the City that regulate building construction or use.

Permit Applicant:	NEIGHBORS CONSTRUCTION COMPANY, INC
	15226 W 87TH ST PARKWAY
	LENEXA, KS 66219

PRCOM20161750
2012 International Building Code
783 NW DONOVAN RD, LEES SUMMIT, MO 64086
<u>SUMMIT SQUARE - BUILDING #1</u>
NEW MULTI-FAMILY
<u>R-2</u>
<u>62783</u>
<u>783</u>
VA
<u>PMIX</u>

Ryan A. Elam, P.E.

Director of Development Services Department

Issued: Wednesday, April 04, 2018

**CODES ADMINISTRATION** 

# **Certificate of Occupancy**

This Certificate is issued pursuant to the requirements of Chapter 7 of the Lee's Summit Code of Ordinances, certifying, based upon the inspections performed, that at the time of issuance this structure was in substantial compliance with the ordinances of the City that regulate building construction or use.

Permit Applicant:	NEIGHBORS CONSTRUCTION COMPANY, INC
	9800 LEGLER RD
	LENEXA, KS 66219

Building Permit No:	PRCOMCOM20161756
Code in Effect:	2012 International Building Code
Building Address:	795 NW DONOVAN RD, LEES SUMMIT, MO 64086
Project Title:	SUMMIT SQUARE - BUILDING #2
Description:	NEW MULTI-FAMILY
Occupancy Group:	<u>R-2</u>
Area:	<u>54938</u>
Occupant Load:	<u>274</u>
Construction Type:	VA
Zoning:	<u>PMIX</u>

Ryan A. Elam, P.E.

Director of Development Services Department

Issued: Wednesday, December 13, 2017

**CODES ADMINISTRATION** 

# **Certificate of Occupancy**

This Certificate is issued pursuant to the requirements of Chapter 7 of the Lee's Summit Code of Ordinances, certifying, based upon the inspections performed, that at the time of issuance this structure was in substantial compliance with the ordinances of the City that regulate building construction or use.

Permit Applicant:	NEIGHBORS CONSTRUCTION COMPANY, INC
	15226 W 87TH ST PARKWAY
	LENEXA, KS 66219

Building Permit No:	PRCOM20161761
Code in Effect:	2012 International Building Code
Building Address:	805 NW DONOVAN RD, LEES SUMMIT, MO 64086
Project Title:	SUMMIT SQUARE - BUILDING #3
Description:	NEW MULTI-FAMILY
Occupancy Group:	<u>R-2</u>
Area:	<u>62957</u>
Occupant Load:	<u>313</u>
Construction Type:	VA
Zoning:	<u>PMIX</u>

Ryan A. Elam, P.E.

Director of Development Services Department

Issued: Thursday, June 21, 2018

**CODES ADMINISTRATION** 

# **Certificate of Occupancy**

This Certificate is issued pursuant to the requirements of Chapter 7 of the Lee's Summit Code of Ordinances, certifying, based upon the inspections performed, that at the time of issuance this structure was in substantial compliance with the ordinances of the City that regulate building construction or use.

Permit Applicant:	NEIGHBORS CONSTRUCTION COMPANY, INC
	15226 W 87TH ST PARKWAY
	LENEXA, KS 66219

Building Permit No:	PRCOM20161765
Code in Effect:	2012 International Building Code
Building Address:	801 NW DONOVAN RD, LEES SUMMIT, MO 64086
Project Title:	SUMMIT SQUARE - BUILDING #4
Description:	NEW MULTI-FAMILY
Occupancy Group:	<u>R-2</u>
Area:	<u>54938</u>
Occupant Load:	<u>274</u>
Construction Type:	VA
Zoning:	<u>PMIX</u>

Ryan A. Elam, P.E.

Director of Development Services Department

Issued: Monday, June 04, 2018

**CODES ADMINISTRATION** 

# **Certificate of Occupancy**

This Certificate is issued pursuant to the requirements of Chapter 7 of the Lee's Summit Code of Ordinances, certifying, based upon the inspections performed, that at the time of issuance this structure was in substantial compliance with the ordinances of the City that regulate building construction or use.

Permit Applicant:	NEIGHBORS CONSTRUCTION COMPANY INC
	15226 W 87TH ST PARKWAY
	LENEXA, KS 66219

Building Permit No:	PRCOM20161767
Code in Effect:	2012 International Building Code
Building Address:	813 NW DONOVAN RD, LEES SUMMIT, MO 64086
Project Title:	<u>SUMMIT SQUARE - BLDG #5</u>
Description:	NEW MULTI-FAMILY
Occupancy Group:	<u>R-2</u>
Area:	<u>54938</u>
Occupant Load:	<u>274</u>
Construction Type:	VA
Zoning:	<u>PMIX</u>

Ryan A. Elam, P.E.

Director of Development Services Department

Issued: Thursday, July 12, 2018

**CODES ADMINISTRATION** 

# **Certificate of Occupancy**

This Certificate is issued pursuant to the requirements of Chapter 7 of the Lee's Summit Code of Ordinances, certifying, based upon the inspections performed, that at the time of issuance this structure was in substantial compliance with the ordinances of the City that regulate building construction or use.

Permit Applicant:	NEIGHBORS CONSTRUCTION COMPANY INC
	15226 W 87TH ST PARKWAY
	LENEXA, KS 66219

Building Permit No:	PRCOM20161769
Code in Effect:	2012 International Building Code
Building Address:	825 NW DONOVAN RD, LEES SUMMIT, MO 64086
Project Title:	<u>SUMMIT SQUARE - BUILDING #6</u>
Description:	NEW MULTI-FAMILY
Occupancy Group:	<u>R-2</u>
Area:	<u>54938</u>
Occupant Load:	<u>274</u>
Construction Type:	VA
Zoning:	<u>PMIX</u>

Ryan A. Elam, P.E.

Director of Development Services Department

Issued: Tuesday, August 21, 2018

**CODES ADMINISTRATION** 

# **Certificate of Occupancy**

This Certificate is issued pursuant to the requirements of Chapter 7 of the Lee's Summit Code of Ordinances, certifying, based upon the inspections performed, that at the time of issuance this structure was in substantial compliance with the ordinances of the City that regulate building construction or use.

Permit Applicant:	NEIGHBORS CONSTRUCTION COMPANY INC
	15226 W 87TH ST PARKWAY
	LENEXA, KS 66219

Building Permit No:	PRCOM20161771
Code in Effect:	2012 International Building Code
Building Address:	819 NW DONOVAN RD, LEES SUMMIT, MO 64086
Project Title:	SUMMIT SQUARE - BUILDING #7
Description:	NEW MULTI-FAMILY
Occupancy Group:	<u>R-2</u>
Area:	<u>62957</u>
Occupant Load:	<u>313</u>
Construction Type:	VA
Zoning:	<u>PMIX</u>

Ryan A. Elam, P.E.

Director of Development Services Department

Issued: Wednesday, October 17, 2018

**CODES ADMINISTRATION** 

# **Certificate of Occupancy**

This Certificate is issued pursuant to the requirements of Chapter 7 of the Lee's Summit Code of Ordinances, certifying, based upon the inspections performed, that at the time of issuance this structure was in substantial compliance with the ordinances of the City that regulate building construction or use.

Permit Applicant:	NEIGHBORS CONSTRUCTION COMPANY, INC
	15226 W 87TH ST PARKWAY
	LENEXA, KS 66219

Building Permit No:	PRCOM20161758
Code in Effect:	2012 International Building Code
Building Address:	789 NW DONOVAN RD, LEES SUMMIT, MO 64086
Project Title:	SUMMIT SQUARE - CLUBHOUSE
Description:	NEW COMMERCIAL
Occupancy Group:	<u>A-2</u>
Area:	<u>7907</u>
Occupant Load:	<u>312</u>
Construction Type:	<u>VB</u>
Zoning:	<u>PMIX</u>

Ryan A. Elam, P.E.

Director of Development Services Department

Issued: Wednesday, December 27, 2017