

City of Lee's Summit

Department of Planning & Codes Administration

May 8, 2015

TO: Planning Commission

FROM: Robert G. McKay, AICP, Director *RM/ For RGM*

RE: **PUBLIC HEARING – Appl. #PL2015-034 – PRELIMINARY DEVELOPMENT PLAN – Summit Innovation Center, approximately 38 acres at the northeast corner of NW Ward Road and the future NW Tudor Road extension, generally located 1/3 mile north of NW Chipman Road; Townsend Summit, LLC, applicant**

Commentary

The applicant proposes developing 481,000 sq. ft. of educational, research, hospitality, and shopping center on 37.66 acres in three phases. Phase 1 is a 250,000 sq. ft. education and research facility to be located on 15 acres (Lot 6). Phase 2 is a 38,000 sq. ft. hotel to be located on 2.14 acres (Lot 3). Phase 3 is composed of six total buildings constituting 78,200 sq. ft. of retail use in Lot 2; 90,000 sq. ft. of office use in Lot 4; and 24,800 sq. ft. of retail use in Lot 5, all located on 20.52 acres. The proposed retail uses include a mix of general retail, restaurants, services, a potential movie theatre and/or fitness center.

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 have been provided to demonstrate what the various types of buildings may look like.

The applicant requests modifications to the maximum building height, monument sign area requirements, and parking stall size. Staff supports granting a modification to the maximum building height and the monument sign area requirements. Staff does not support granting a modification to the parking stall size requirement.

- 0.44 (avg.) floor area ratio (FAR) – 0.55 maximum permitted
- 68% impervious coverage – 80% maximum permitted
- 32% open space – 20% minimum required
- 2,280 parking spaces provided – 1,697 spaces required per the Alternate Parking Plan

Recommendation

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

1. A modification shall be granted to the maximum 3 story, or 40 foot, structure height, to allow for a maximum building height of 5 stories, or 60 feet, per the previously approved rezoning.
2. A modification shall be granted to the 72 sq. ft. sign face and 96 sq. ft. structure area monument sign requirements, to allow for one "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 Tudor Road. All other monument signs shall comply with the CP-2 sign standards.
3. Development shall be in accordance with the preliminary development plan date stamped April 21, 2015.
4. Development standards, including density, lot area, setbacks, shall be as shown on the preliminary development plan date stamped April 21, 2015.

5. The approved architectural styles, building materials and colors, shall be as shown on the building elevations date stamped April 21, 2015.
6. A 10-foot pedway shall be required along the east side of the future NW Ward Road expansion prior to the issuance of any occupancy permit within Phase 3, or an escrow deposit to the City for the design and construction of such improvement and defer completion to coordinate with future NW Ward Road widening north of NW Tudor Road if not already four-lanes.
7. Lots 4 and 5 shall be required to provide shared access and parking should they develop in the manner shown on the preliminary development plan date stamped April 21, 2015; otherwise, they shall be required to meet the parking standards in Article 12 of the UDO.
8. Parking shall be provided per the alternate parking plan shown on the preliminary development plan.
9. Any increase to the development's aggregate 481,000 sq. ft. of floor area shown on Sheet AS100, date stamped April 21, 2015, shall require approval of a new preliminary development plan per Section 4.330 of the UDO.
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 May 7, 2015. 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.

Project Information

Proposed Use: Educational/Institutional, Office, Retail, and Hospitality

Land Area: 15.00 acres (653,539 sq. ft.) – Phase 1
 2.14 acres (93,397 sq. ft.) – Phase 2
20.52 acres (893,885 sq. ft.) – Phase 3
37.66 acres (1,640,821 sq. ft.) – Total

Building Area: 250,000 sq. ft. – Educational (Lot 6) – Phase 1
 38,000 sq. ft. – Hospitality (Lot 3) – Phase 2
 78,200 sq. ft. – Retail (Lot 2)
 90,000 sq. ft. – Office (Lot 4)
24,800 sq. ft. – Retail (Lot 5) } Phase 3: 193,000 sq. ft.
481,000 sq. ft. – Total

FAR (floor area ratio): 0.44 (avg.)

Location: NE corner of NW Ward Road and the future NW Tudor Road extension, generally located 1/3 mile north of NW Chipman Road

Zoning: PMIX (Planned Mixed-Use District)

Surrounding zoning and use:

North: PMIX—Vacant ground, approved Summit Place development

South (across future NW Tudor Road): PMIX and PI (Planned Industrial)—Vacant undeveloped acreage and KCP&L sub-station

East (across Missouri Pacific Railroad): PI—Vacant undeveloped acreage

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, the proposed Summit Innovation Campus as well as surrounding properties that have not yet been developed.
- 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, 2nd 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.

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. However, under Section 4.330 of the UDO, a substantial change is defined to include an increase in the total floor area of all nonresidential buildings covered by the plan of more than 25%. For example, the total floor area on the proposed site plan is 481,000 sq. ft., a 25% increase would yield a total allowable floor area of 601,250 sq. ft. Anything above 601,250 sq.ft. would be required to go back through the preliminary development plan process.

Maximum Structure Height. Modification requested. **Staff supports requested modification.**

- Proposed – The applicant proposes to maintain the maximum height that was approved at the time of the rezoning for the Summit Technology Campus and allowed under Zoning Ordinance No. 715, which was the zoning ordinance in effect in 1999. The previously approved rezoning allowed for a maximum height of 5 stories.
- Required – Maximum structure height allowed under Article 5 of the UDO for CP-2 zoning is 40 feet, or 3 stories. However, the maximum structure height allowed for in the PMIX zoning district is said to be established as part of the zoning approval.
- Recommended – Staff supports the requested modification to the maximum structure height as it is consistent with what was approved at the time of the rezoning.

Monument Sign Area. Modification requested. **Staff supports requested modification.**

- Proposed – The applicant proposes two monument sign elevations to represent the six 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 five monument sign locations. Its potential sign area is 72 sq. ft., with a structure area of 96 sq. ft.
- Required – Maximum sign area of 72 sq. ft. for sign area and 96 sq. ft. for structure area.
- Recommended – Staff supports the requested modification to the monument sign and structure area for the monument shown at the northeast corner of NW Ward Road and future NW Tudor Road. All other monument signs shall comply with the CP-2 sign standards.

Parking Stall Size. Modification requested. **Staff does not support the requested modification.**

- Proposed – The applicant proposes 9’ wide by 18’ deep parking stalls. The proposed parking stall dimensions are consistent with 9’ wide by 18’ wide parking stalls originally approved for the Summit Technology Campus in 1999. The Site Development Concept Sheet depicts that parking stalls for this development meeting the UDO requirement for 9’ wide by 19’ deep parking stalls.
- Required – 9’ wide by 19’ deep parking stalls.
- Recommended – Staff is not supportive of the requested modification because the proposed site plan shows that the ordinance requirement can be met.

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 educational/institutional uses:

Use	Spaces	Per
College/University (instructional space)	10	Classroom

Technical College/Trade School	20	Classroom
Senior High School	6	Classroom
Places of Assembly	1	3 seats

Per page 6 of the applicant's narrative, the first phase of "the educational/institutional space is anticipated to be approximately 150,000 square feet, to include 27 college classrooms, 13 high school rooms and a 200 seat auditorium". Based on the UDO parking requirements referenced in the table above, the first phase of the educational/institutional component would be required to provide 415 parking spaces. Instead, the applicant proposes an Alternate Parking Plan to provide parking based on a ratio of 3 spaces per 1,000 square feet of gross floor area. Based on the proposed ratio, the applicant will provide 450 spaces in Phase 1, which are 35 spaces more than the UDO requires.

Phase 2 of the development's educational/institutional component proposes a total floor area of 250,000 sq. ft. at full build-out (Phase 1 + Phase 2). Based on the applicant's proposed parking ratio of 3 spaces per 1,000 sq. ft. of gross floor area, the required parking for this use would be 750 spaces. However, the proposed plan shows that 1,066 spaces can be provided, which are 316 spaces more than applicant's calculated minimum.

The proposed retail, services, office and hotel uses will provide parking based on the UDO requirements of Article 12.

Shared Parking. Under the proposed plan Lots 4 and 5 would need to provide shared access and parking. Lot 4 requires 360 parking spaces; the current configuration has 302 spaces. Lot 5 requires 124 parking spaces; the current configuration has 364 spaces. The total required for both lots is 484; the total parking provided for both lots is 666.

Code and Ordinance Requirements

The items in the box below are specific to this development and must be satisfactorily addressed in order to bring the plan into compliance with the Codes and Ordinances of the City.

Public Works

1. All 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. Engineering plans for public infrastructure shall be submitted under a separate submittal package. All public infrastructure must be substantially complete, prior to the issuance of any certificates of occupancy.
2. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the engineering plans, and prior to approval of the final development plan, and prior to the issuance of any infrastructure permits or the start of construction (excluding land disturbance permit).
3. A Land Disturbance Permit shall be obtained from the Public Works Department prior to any ground-breaking activities on the site.
4. 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.

5. Additional fire hydrants shall be required to meet the 300 foot rule to any point on a building. In addition, the maximum distance between any two fire hydrants shall not exceed 500 feet, and fire hydrants on adjacent streets cannot be used to satisfy the 500 foot maximum distance requirement.
6. Applicant will be required to provide documentation that the United States Army Corps of Engineers (USACE) requirements, if applicable, have been met for the project.
7. With the exception of street crossings and the reinforced box culvert shown on the plan, all other storm sewer systems shown within the interior of the lots shall be considered private.

Fire

8. All building and life safety issues shall comply with the 2012 International Fire Code and local amendments as adopted by the City of Lee's Summit.

Planning and Codes Administration

9. 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.
10. 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 May 7, 2015—4 pages
2. Summit Technology Campus-35 Acre Traffic Impact Study, date stamped March 20, 2015—33 pages
3. Preliminary Development Plan, date stamped April 21, 2015—10 pages
4. Lot 2 & 3 Temporary Access, date stamped May 4, 2015—1 page
5. Summit Innovation Center: Preliminary Development Plan Update, narrative submitted by Townsend Summit, LLC dated April 21, 2015—8 pages
6. Location Map