



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

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## Development Services Staff Report

<b>File Number</b>	PL2021-406 – PRELIMINARY DEVELOPMENT PLAN – Market Street Center
<b>Applicant</b>	Foresight Real Estate Services, LLC
<b>Location</b>	3501 SW Market St
<b>Planning Commission Date</b>	December 16, 2021
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire
<b>Checked By</b>	Hector Soto, Jr., AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

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### Public Notification

Pre-application held: September 14, 2021  
Neighborhood meeting conducted: December 2, 2021  
Newspaper notification published on: November 27, 2021  
Radius notices mailed to properties within 300 feet on: November 24, 2021  
Site notice posted on: November 24, 2021

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### Table of Contents

1. Project Data and Facts	2
2. Land Use	3
3. Project Proposal	3
4. Unified Development Ordinance (UDO)	4
5. Comprehensive Plan	5
6. Analysis	5
7. Recommended Conditions of Approval	8

### Attachments

Transportation Impact Analysis prepared by Brad Cooley, dated December 7, 2021 – 2 pages  
Preliminary Storm Management Plan by Phelps Engineering, Inc, dated October 15, 2021 – 7 pages  
Preliminary Development Plan, dated November 16, 2021 – 10 pages  
Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	Foresight Real Estate Services, LLC /Developer
Applicant's Representative	John Davis
Location of Property	3501 SW Market St
Size of Property	1.07 acres – Lot 1 0.76 acres – Lot 2 2.58 acres – Lot 3 0.60 acres – Tract A <b>5.03 acres (219,106.8 sq. ft.) total</b>
Number of Lots	3 Lots, 1 tract
Building Area	4,200 sq. ft. – Lot 1 5,000 sq. ft. – Lot 2 15,200 sq. ft. – Lot 3 <b>24,400 sq. ft. proposed total building area</b>
FAR (Floor Area Ratio)	0.09 – Lot 1 0.15 – Lot 2 0.13 – Lot 3 <b>0.11 – proposed total FAR</b>
Parking Spaces – Required	22 – Lot 1 25 – Lot 2 61 – Lot 3 <b>108 – total spaces required</b>
Parking Spaces – Proposed	25 – Lot 1 40 – Lot 2 90 – Lot 3 <b>155 – total spaces proposed</b>
Zoning	CP-2 (Planned Community Commercial District)
Comprehensive Plan Designation	Commercial
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan. The City Council takes final action on the preliminary development plan in the form of an ordinance.</p> <p><b>Duration of Validity:</b> Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.</p>

**Current Land Use**

The subject 5.03-acre property is currently unplatted, undeveloped vacant ground.

**Description of Applicant's Request**

The applicant proposes a preliminary development plan to construct three freestanding buildings on the subject site. The proposed use for the buildings located on Lots 1 and 2 are a dental office and retail. A home improvement center is proposed for Lot 3. As elevations for the proposed building on Lot 3 were not provided with this PDP, development of this site will require a preliminary development plan under separate application.

## 2. Land Use

**Description and Character of Surrounding Area**

The properties surrounding the subject site are zoned CP-2 with the exception of MO 291 Highway to the east. Firestone is located to the west and Walmart is to the north across SW Market St. South of the property is Quick Trip and Bank of the West.

**Adjacent Land Uses and Zoning**

<b>North (across SW Market St):</b>	Walmart / CP-2
<b>South:</b>	QuikTrip & Bank of the West / CP-2
<b>East:</b>	MO 291 Highway
<b>West:</b>	Firestone / CP-2

**Site Characteristics**

The property sits along the west side of the MO 291 Hwy corridor. The property is bounded by SW Market St to the north and west. The south boundary is an interior property line shared with QuikTrip and Bank of the West

The site is relatively flat with an open drainage ditch that runs north-south bisecting the project site.

**Special Considerations**

This site is located in the M-150 Corridor Development Overlay (CDO) District.

## 3. Project Proposal

**Site Design**

<b>Land Use</b>	
Impervious Coverage:	52%
Pervious:	48%
<b>TOTAL</b>	<b>100%</b>

**Parking**

<b>Proposed</b>	<b>Required</b>
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Total parking spaces proposed:	155	Total parking spaces required:	108
Accessible spaces proposed:	7	Accessible spaces required:	6
Parking Reduction requested?	No	Off-site Parking requested?	No

**Structure(s) Design**

<b>Number and Proposed Use of Buildings</b>
Lot 1 – Dental Office Lot 2 – Medical Office / Retail Lot 3 – Home Improvement Store
<b>Building Height</b>
Lot 1 – 22' 6" Lot 2 – 22' 6" Lot 3 - Not known at this time
<b>Building Size</b>
Lot 1 – 4,200 sq. ft. Lot 2 – 5,000 sq. ft. Lot 3 – 15,200 sq. ft.
<b>Number of Stories</b>
1 Story
<b>Floor Area Ratio</b>
Lot 1 – 0.09 Lot 2 – 0.15 Lot 3 – 0.13 <b>Total FAR: 0.11 (0.55 Max)</b>

**Setbacks (Perimeter)**

<b>Yard</b>	<b>Required Minimum</b>	<b>Proposed</b>
Front	15' (Building) / 20' (Parking)	82' (Building) / 20' (Parking)
Side	10' (Building) / 6' (Parking)	10' (Building) / 6' (Parking)
Rear	20' (Building) / 6' (Parking)	20' (Building) / 6' (Parking)

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

<b>Section</b>	<b>Description</b>
2.260,2.300	Preliminary development plan
4.210	Zoning Districts
5.510	M-150 CDO design standards

The subject property is zoned CP-2 and located within the M-150 Corridor Development Overlay (CDO) District. The CP-2 was established to provide a location for a full-range of retail and office development serving the general needs of the community. The intent of the CP-2 District is to promote a streetscape that encourages buildings to be moved forward adjacent to the front yard setback line or adjacent to the required landscape improvements. This site design improves the benefits derived from the required landscaping and the overall image of the commercial corridor.

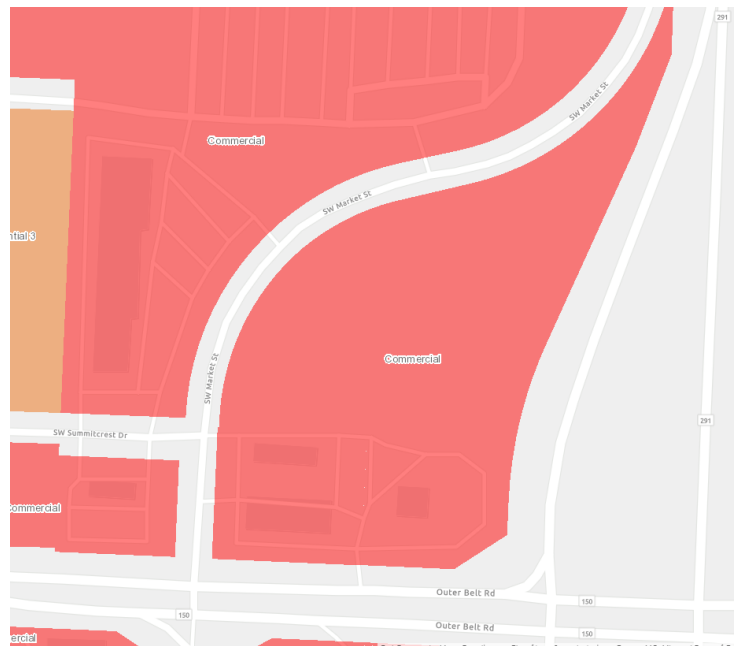
The purpose of the CDO is to facilitate the development of property in the M-150 corridor in accordance with the M-150 Sustainable Corridor Vision and Framework Plan (M-150 Corridor Plan) with the highest possible levels of community and building design consistent with the healthy economic development and redevelopment of the plan area.

## 5. Comprehensive Plan

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

The 2021 Ignite Comprehensive Plan land use map identifies the subject site's future recommended land use as Commercial. An objective established of the Comprehensive Plan is to increase private sector investment in Lee's Summit by stimulating continued economic development investment and reinvestment by the private sector in Lee's Summit.

Maintaining a diverse and valuable tax base to foster a positive return on investment as the community grows so the community continues to enjoy the finest quality services and infrastructure is an additional objective set out by the adopted Comprehensive Plan.



If approved the proposed PDP will meet the above goals and objectives of the Comprehensive Plan with the continued investment into the economic development and growth of the City. The proposed development will aid in creating a strong, high-quality commercial base that provides diversified, accessible, and convenient services to meet the changing needs of the community.

## 6. Analysis

### Background and History

- August 29, 1972 – The subject property and surrounding area were annexed into the City by special election.

- September 6, 2001 – The City Council amended comprehensive zoning Ordinance No. 715, subdivision Ordinance No. 850, Chapters 27 and 33 of the Code of Ordinances for the City of Lee's Summit, Missouri, and enacted the Unified Development Ordinance amending the subject property's zoning from C-1 to CP-2. The UDO went into effect on November 1, 2001.

### **Compatibility**

The property is located on the east side of SW Market St approximately 650 feet north of the intersection at MO 150 Highway. The site sits adjacent to a bank (Bank of the West) with a drive-through facility and a QuikTrip to the south, a multi-tenant strip center (Summit Crest Plaza) to the west, Walmart to the north and MO 291 Highway to the east. All adjoining properties are zoned CP-2. The proposed uses (retail and office) are compatible uses for the area and are uses permitted by right under the property's existing CP-2 zoning.

The proposed building materials and architecture for Lot 1 and Lot 2 are compatible with the commercial development in this area. The proposed building exteriors are composed of stone veneer, stucco, aluminum storefront windows and glass.

As no elevations were provided for Lot 3, any development of this site will require a preliminary development plan under separate application.

### **M-150 CDO design standards**

The subject property is located within the boundaries of the M-150 Corridor Development Overlay (CDO) District. In an effort to promote sustainable development within the M-150 Corridor, the overlay district encourages the integration of water and energy conservation techniques in site planning and building design by establishing minimum sustainability requirements. To address these requirements the developer has proposed to incorporate the following features:

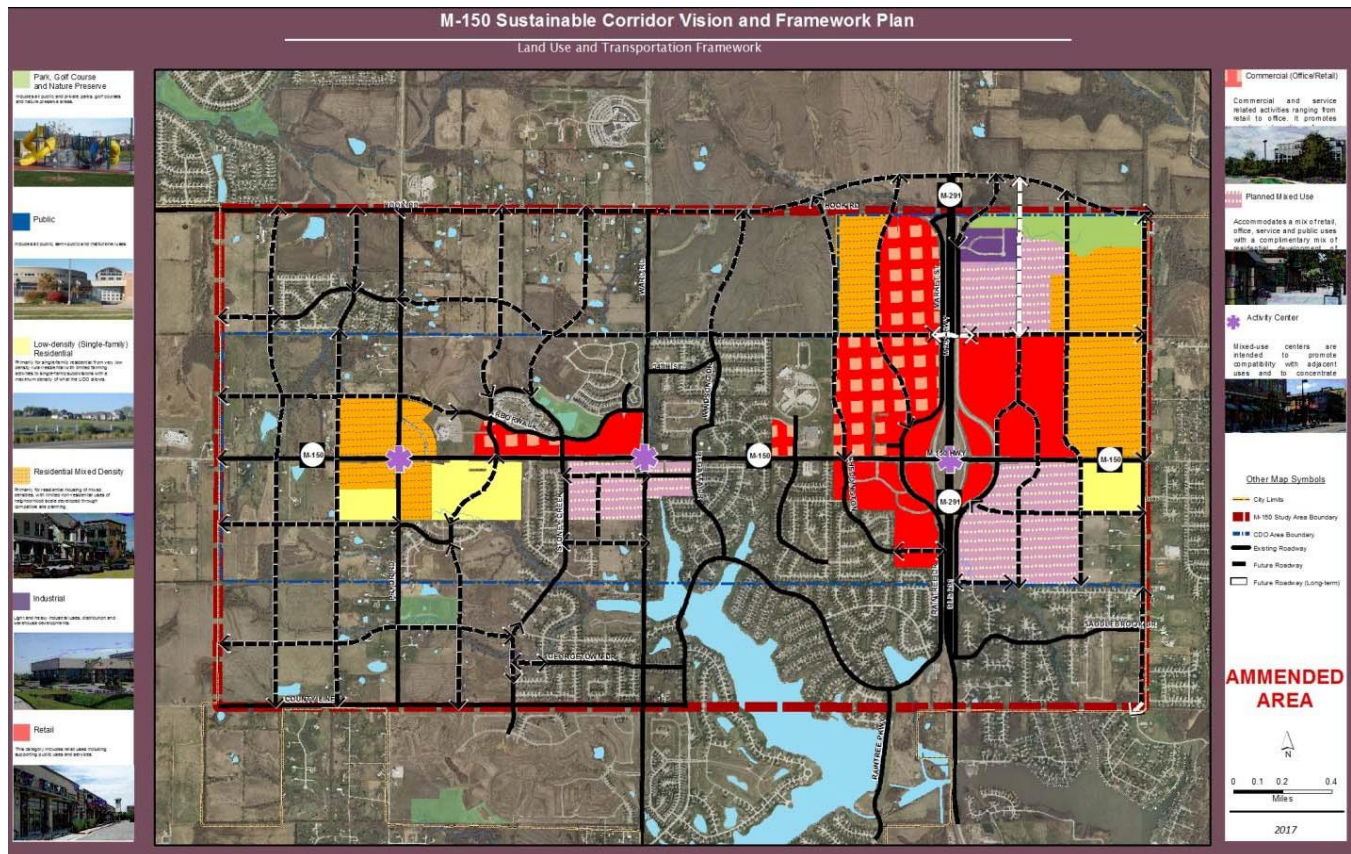
1. Stormwater BMPs per APWA 5600

The applicant has stated that additional details related to building materials, systems, and design (regarding sustainability) will be provided with the final development plan. As such, a condition of approval has been added to this application requiring all design and sustainability standards be met per M-150 CDO requirements.

The developer has further addressed overlay district design requirements by adding landscape screening around the proposed transformer location. In addition to the required public sidewalk along SW Market St., the CDO requires a network of on-site pedestrian walkways with a minimum width of five (5) feet to and between public sidewalks along the perimeter streets adjacent to the development. The applicant has met this requirement by proposing a five (5) sidewalk that will provide the required connection between the private and public sidewalks. Additionally, the internal pedestrian crosswalks will utilize scored concrete to distinguish them from the driving surface as is required by the M-150 CDO.

The M-150 CDO requires that all roof-mounted mechanical equipment be screened by a parapet wall or similar feature that is an integral part of the building's architectural design. The applicant proposes to meet the CDO design standard by providing a parapet wall of a height equal to or greater than the height of the mechanical equipment being screened.





### **Adverse Impacts**

The proposed development will not detrimentally impact the surrounding area. The proposed project develops a long-vacant and highly visible property along the MO 291 Hwy and MO 150 corridors. Stormwater management will be handled via a detention basin located on the subject site just south of the proposed Lot 3.

### **Public Services**

The proposed development will not impede the normal and orderly development and improvement of the surrounding property. The surrounding properties are fully built out.

The proposed development will tie into the existing public infrastructure. The site has direct access from SW Market St which has sufficient capacity to accommodate the traffic volumes for the proposed use. A short sanitary sewer extension maybe be required as part of the proposed development. Final design details and alignment will be determined with the Final Development Plan.

### **Recommendation**

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

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

### **Site Specific**

1. Development shall meet all design and sustainability requirements as established by UDO Sec. 5.510.
2. Development shall be in accordance with the preliminary development plan dated November 16, 2021, except that the development of Lot 3 requires approval of a separate preliminary development plan application due to the lack of building elevations provided as part of the subject application.

### **Standard Conditions of Approval**

3. A short sanitary sewer main extension is most likely going to be required. The final sanitary sewer alignment will be determined with the Final Development Plan. The design engineer was asked to evaluate the feasibility of extending the sanitary sewer south and connecting to the existing public main along M-150 Hwy. It was determined by the design engineer that extension to the south would result in a significant financial burden to the developer due to additional pipe length and structures, removal and replacement of off-site private facilities, easement costs, and utility conflicts. The additional length and structures would add a maintenance cost burden to the City, as well. In addition, extension to the south does not allow for all buildings to sewer via gravity flow. There are alternative connection points and alignments that can be investigated at the time of the Final Development Plan.
4. 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.
5. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the associated engineering plans and prior to the issuance of any site development permits or the start of construction (excluding land disturbance permit).
6. 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 7.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Article 3, Division V, Sections 3.540 and 3.550 and Article 3, Division IV, Section 3.475 of the UDO, respectively.
7. A Land Disturbance Permit shall be obtained from the City if groundbreaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
8. Certain aspects of the development plan will be further reviewed during the Final Development Plan phase of the project. This includes detailed aspects of the design to help ensure that the plan meets the design criteria and specifications contained in the Design and Construction Manual.
9. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
10. 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.



11. The applicant shall submit and the City shall accept an “As-built / As-graded” detention basin plan prior to issuance of any occupancy permit for the proposed development.
12. For internal reference: WU comments - don't tie into a manhole, keep the services separate, epoxy line the first two downstream manholes, etc.
13. 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 2018 International Fire Code.
14. 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.
15. IFC 503.2.3 - Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.
16. IFC 503.3 - Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.
17. A final plat shall be approved and recorded prior to any building permits being issued.