

LS Memorandum

City of Lee's Summit

To: [Planning Commission]

From: [Development Services Department]

C: [File]

Date: [January 5, 2023]

Re: [Appl. #PL2022-422 Exterior Renovation Permit – 6 SW 2nd St; Guy Gronberg Architects P.C, applicant]

Background

The purpose of the hearing before the Planning Commission is to make a recommendation to the City Council on appeals of denials of exterior renovation permits in the Downtown Core Area. An exterior renovation permit is required for all exterior work in the Downtown Core Area when the design standards of Article 8 of the Unified Development Ordinance apply but the preliminary and final development plan review processes of Article 5 do not apply.

In this case, an exterior renovation permit was required for a façade renovation located at 6 SW 2nd St. The applicant proposes to remove the existing mansard roof on the south elevation and replace it with a flat vertical wall surface utilizing Hardie Board cementitious siding and wall panels as depicted in Figure 1 below.



Figure 1 – Proposed façade improvements

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The site design standards of Section 8.440 of the UDO require brick as the exterior building material for first and second floor elevations on street-facing facades. On non-street-facing facades, cementitious siding (such as "HardiePlank") is an approved material.

Upon review, the subject exterior renovation permit was denied because the proposed material for the exterior walls (Hardie board) does not meet the requirements of the UDO as the façade faces SW 2nd St.

The applicant has appealed staff's denial of the subject exterior renovation permit.

Exterior Renovation Permit Appeal Process

The Planning Commission shall hold a hearing upon notification by the Director of Development Services that an appeal has been filed. During the hearing, the applicant and Director, or others on their behalf, may present information and other evidentiary matters for the Planning Commission's consideration, but the formal rules of evidence shall not apply.

Any person who received a mailed public hearing notice shall be permitted to provide information to the Planning Commission. The Planning Commission may also receive information from anyone who attends the hearing. Upon the close of the hearing, but not later than two regularly scheduled meetings of the Planning Commission, the Planning Commission shall submit to the City Council its recommendation on whether or not to affirm, reverse or modify the decision of the Director and the reasons for said recommendation. In doing so, the Planning Commission shall consider whether or not the application is compliant with the City's Code and guidelines, as well as the criteria set out in UDO Section 8.420.B.3.e. listed further below.

Upon receipt of the Planning Commission's recommendation, the City Clerk shall place the consideration of the appeal on the agenda of the next available regular session meeting of the City Council and provide notice to the applicant of the date, time and place that the appeal shall be heard by the City Council. The applicant may present evidence and testimony in support of his/her appeal before the City Council in the same manner as a public hearing for a rezoning of property. Staff shall prepare a staff report for consideration by the City Council summarizing the evidence and testimony presented by all parties at the Planning Commission hearing. Rules of evidence in a court-tried case shall not apply.

Analysis

In reaching its decision on the appeal and in addition to the recommendations of the Planning Commission, the City Council shall consider the following criteria under UDO Section 8.420.B.3.e as to whether or not the renovations contained within the application:

<i>(1) Are consistent with the adopted guidelines for the area;</i>

The proposed cementitious siding for the exterior wall material is not consistent with the adopted guidelines for the Downtown Core, which calls for brick.

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(2) Are compliant with City Code;

The proposed cementitious siding is compliant with applicable City life/safety codes.

(3) Propose to use materials that were used in Lee's Summit at the time the building or structure in question was built;

The proposed cementitious siding was not a building material available at time the subject structure was constructed in 1978. Cementitious siding began appearing in the market in the mid 1980's

(4) Tend to or do preserve or hinder historic preservation of the structure in the present and future;

The proposed cementitious siding will not hinder historic preservation of the structure in the present and future as the subject building is not historic or located in a historic district.



Figure 2 – Existing south façade of the subject building

(5) Are consistent with exteriors and materials currently used for buildings and structures in the immediate vicinity of the subject property;

The proposed cementitious siding is not currently used on the buildings and structures in the immediate vicinity of the subject property. Located adjacent to the subject property, across SW Market St, a modification was granted for the recently approved Ellis Glen (#PL2022-192) allowing the use of cementitious siding on the street facing façade.



Figure 3 – Ellis Glen 104-110 SW Market St

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(6) Maintain historical aspects and architectural details of the building or structure including but not limited to location of doors, windows, and roofline;

As the building is not listed as a historical structure, nor is it located in a historical district, no historical aspects or architectural details will be impacted.

(7) Have any impact on property values of the subject and adjacent properties;

The proposed cementitious siding is not expected to have any negative impact on the property values of the subject or adjacent properties.

(8) Have any impact on the structural integrity of the subject building or surrounding properties;

The proposed cementitious siding will not impact the structural integrity of any structures or surrounding properties.

(9) Are consistent with the strategic plan for the Downtown Core;

The 2004 Downtown Master Plan promotes cosmetic, safety and upkeep measures to existing structures in the Downtown Core. The applicant's proposed use of cementitious siding material relates to the improved cosmetic appearance and continued maintenance of the existing building.

(10) Are consistent with the Secretary of the Interior's standards; and

The Secretary of the Interior's standards do not apply in this instance. The Standards apply to the maintenance, repair and replacing of historic materials, as well as designing new additions or making alterations to a historic property.

(11) Will have an adverse or favorable impact on future historic district applications of the Downtown Core area or adjacent properties.

The proposed cementitious siding is not expected to adversely impact future historic district applications of the Downtown Core or adjacent properties. The subject property sits outside the boundary of the Lee's Summit Downtown Historic District

Attachments;

Exterior renovation permit application – 5 pages

Unified Development Ordinance Section 8.420 – 4 pages

Unified Development Ordinance Section 8.440 – 13 pages

Location Map |