

City of Lee's Summit

Development Services Department

July 6, 2018

TO: Planning Commission
PREPARED BY: C. Shannon McGuire, Planner
CHECKED BY: Hector Soto, Jr., AICP, Current Planning Manager
RE: **Appl. #PL2018-087 – PRELIMINARY DEVELOPMENT PLAN – The Reserve at Stoney Creek subdivision pool, 1401 SW Stoney Brook Cir; Engineering Solutions, LLC, applicant.**

Commentary

This preliminary development plan (PDP) application is for the proposed Reserve at Stoney Creek subdivision pool and clubhouse. The proposed pool and 2,312 sq. ft. clubhouse will be constructed on a 2.62 acre common area tract located at 1401 SW Stoney Brook Cir.

Preliminary development plans are not typically required for subdivision pools in the R-1 zoning district. However, the applicant requests a modification to the location of the required medium impact buffer and a modification to allow vehicular access to the tract from SW Stoney Creek Dr. (classified as a residential collector) rather than the lower classified local residential street SW Stoney Brook Cir. Modifications to the UDO can only be granted as part of a preliminary development plan application. Staff supports the requested modifications.

Recommendation

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

1. A modification shall be granted to the requirement that access to individual lots not be allowed from an arterial or collector street when access from a local or access street is available, to allow direct vehicular access to the tract from the collector street SW Stoney Creek Dr.
2. A modification shall be granted to the requirement that a medium impact screen be provided along any common property line shared with a residential dwelling, to allow the required buffer to be located on the interior of the property adjacent to the east side of the parking lot and driveway.

Project Information

Proposed Use: Subdivision pool and clubhouse

Zoning: R-1 (Single Family Residential)

Land Area: 114,158.34 sq. ft. (2.62 acres)

Building Area: 2,312 sq. ft.

Location: 1401 SW Stoney Brook Cir.

Surrounding zoning and use:

North (across SW Stoney Brook Cir.): R-1 (Single Family Residential) — Single family homes

South: R-1 (Single Family Residential) — Vacant undeveloped ground, future residential development

East: R-1 (Single Family Residential) — Single family homes.

West (across SW Stoney Creek Dr.): R-1 (Single Family Residential) — Single family homes and vacant undeveloped ground, future residential development

Unified Development Ordinance

Applicable Section(s)	Description
4.300, 4.310, 4.320	Preliminary Development Plan
5.040	Development plan and allowable modifications
9.420	Swimming pools, subdivision
16.260	Driveways

Process

Procedure: 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 application.

Duration of Validity: 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.

Background

- August 12, 1986 – The City Council approved a rezoning from AG (Agricultural) to R-1 for approximately 150 acres west of Ward Road by Ordinance No. 2845 (Appl. #1986-034).
- September 24, 2002 – The Planning Commission approved a preliminary plat for Stoney Creek and Parkwood at Stoney Creek containing 383 lots on 142 acres (Appl. #2002-136). The preliminary plat showed 15 phases, 5 of which had already been platted by that time.
- October 17, 2002 – The City Council approved a rezoning from AG to R-1 for 70 acres in Stoney Creek and Parkwood at Stoney Creek by Ordinance No. 5411 (Appl. #2002-135).
- December 3, 2015 – The City Council approved the final plat (Appl. #PL2015-135) for The Reserve at Stoney Creek, 2nd Plat, by Ordinance No. 7758.

Analysis of Preliminary Development Plan

Vehicular Access - Modification requested. **Staff supports the request.**

- Proposed – The applicant proposes to provide vehicular access to the site from the adjacent residential collector (SW Stoney Creek Dr.) rather than SW Stoney Brook Cir. which is classified as a local residential street.
- Required – Access to individual lots shall not be allowed from an arterial or collector street when access from a local or access street is available. In the absence of a local or access street, the lot shall only have access from the street with the lowest functional classification, in conformance with the Access Management Code.

- Recommended – The applicant is seeking the modification at the request of the residents currently residing north of the proposed pool site. They are making this request in an effort to limit the amount of pool traffic that makes use of SW Stoney Brooke Cir. Staff feels that accessing the site from SW Stoney Creek Drive will promote a more pedestrian friendly environment for the residents while still providing for safe vehicular traffic flow. For these reasons staff feels the modification is reasonable and supports the request.

Screening- Modification requested. **Staff supports the request.**

- Proposed – The applicant proposes to provide the required medium impact screening buffer on the interior of the property, adjacent to the east side of the parking lot and driveway.
- Required – Subdivision swimming pools to be located on platted tracts or common areas within an existing subdivision shall be allowed as a permitted use provided a medium impact screen is provided along any common property line shared with a residential dwelling.
- Recommended – Due to the location of an existing sanitary sewer main and easement located on the easterly lot line, the landscaping buffer is unable to be installed as required by the UDO. By installing the medium impact screening buffer on the interior of the property, adjacent to the east side of the parking lot and driveway, the applicant is able to meet the spirit of the UDO requirement by screening the proposed pool from the abutting residential lots. The proposed location also alleviates the conflict with the existing public infrastructure. For this reason staff feels the modification is reasonable and supports the request.

Stream Buffer

The applicant has requested to place the access driveway (and associated grading) for the pool within a required stream buffer. Section 5600 of the Design & Construction Manual requires buffers of varying widths based on the size of the contributing drainage basin. It also allows for smaller buffers in isolated locations where the provision of the required full width is impractical and bank stability concerns have been addressed. Given the required location of the driveway for this corner lot and the minimal impact into the stream buffer, staff is of the opinion that the intent of the requirement has been met. Bank stability concerns will be addressed as part of the final development plan.

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.

Engineering

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. 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 associated engineering plans 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 City if ground breaking will take place prior to the issuance of an infrastructure permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.

4. 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.
5. Private parking lots shall follow Article 12 of the Unified Development Ordinance for pavement thickness and base requirements.

Fire

6. 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.

Planning

7. All landscaping shall meet the landscaping requirements as outlined in the Unified Development Ordinance, Article 14, Landscaping, Buffers and Tree Protection. The quantity and size of all landscaping vegetation shall meet the minimum landscaping requirements set forth in Unified Development Ordinance (UDO) Section 14.

Attachments:

1. Preliminary Development Plan, date stamped, June 19, 2018 — 8 pages
2. Modification request letter, date stamped July 3, 2018 – 1 page
3. Location Map