

# City of Lee's Summit

## Development Services Department

October 19, 2018

TO: Planning Commission  
PREPARED BY: C. Shannon McGuire, Planner  
CHECKED BY: Hector Soto, Jr., AICP, Current Planning Manager  
RE: **CONTINUED PUBLIC HEARING – Appl. #PL2018-079 – REZONING from AG to RP-4 and PRELIMINARY DEVELOPMENT PLAN – Artisan Point Apartments, approximately 35 acres generally located at the northeast corner of SE Blackwell Rd and SE Blue Pkwy; Case Development, LLC, applicant**

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### Commentary

The applicant proposes to rezone approximately 35.36 acres located on the north side of SE Blue Parkway approximately 1/4 mile east of SE Blackwell Road from AG (Agricultural District) to RP-4 (Planned Apartment Residential District). The two phase apartment project will be comprised of 291 one-bedroom units and 293 two-bedroom units. During the phase one 282 dwelling units will be constructed and 302 dwelling units will be constructed during the phase two. The phases will be separated by a public street extension and each phase will be independent of each other with a separate clubhouse and pool.

Parking will be provided through a combination of garages and surface parking stalls. The proposed materials to be used in the construction of the exterior include stone veneer, brick, shake shingle siding and lap siding.

Modifications are requested for the density and the high impact buffer along the north property line. Staff supports the proposed modification request for the density and request to allow a landscape-only perimeter buffer in lieu of fencing.

The traffic improvements required for this development include the installation of a new roundabout on SE Blue Parkway as well as a new road that will bisect the proposed project and link the new traffic circle to the eastern City boundary line. In accordance with Section 7.120 of the UDO, the preliminary development plan is also serving as the preliminary plat.

- 584 units on 35.36 acres
- 17 units/acre (density) – 12.0 units/acre maximum in RP-4
- 1,189 parking spaces provided - 1,168 surface parking spaces required
- 34% proposed overall impervious coverage – 60% maximum recommended impervious coverage
- 66% proposed overall open area – 40% minimum recommended open area

### Recommendation

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

1. A modification shall be granted to the requirement for a high impact landscaping buffer along the north property line, to allow a medium impact landscaping buffer to be located on the north property line.

2. A modification shall be granted to the maximum density requirement in the RP-4 zoning district of 12 units per acre, to allow 17 units per acre.
3. Development shall be subject to the recommended road improvements outlined in the Transportation Impact Analysis prepared by Michael Park, dated October 18,, 2018.

**Zoning and Land Use Information**

**Location:** North side of SE Blue Parkway approximately 1/4 mile east of SE Blackwell Road  
**Current Zoning:** AG (Agricultural District)  
**Proposed Zoning:** RP-4 (Planned Residential Apartment Use District)  
**Surrounding zoning and use:**  
**North:** R-1 (Single-Family Residential District) – Highland Park Elementary School & Summit Mill HOA pool/common ground  
**South (across SE Blue Pkwy):** AG (Agricultural District) – undeveloped farm ground & US 50 Highway  
**East (outside city limits):** AG (Agricultural District) – undeveloped vacant wooded lot  
**West:** AG (Agricultural District) – undeveloped farm ground

**Site Characteristics.** The site of the proposed development is vacant, unplatted property currently zoned AG. Historically the property has been used for agricultural purposes.

**Description and Character of Surrounding Area.** The properties on the east, south and west are unplatted, undeveloped and vacant. The southern and western properties have historically been utilized for agricultural purposes. The properties to the north are zoned R-1 and are currently developed as an HOA pool/common ground and elementary school. The Highland Park Elementary school building sits approximately 335 feet north of the proposed project’s property line. The nearest residential home (420 SE Stillwater Ct) is located approximately 280 feet north of the proposed project’s property line. When factoring in the proposed building setbacks the school and nearest residential home will be separated from the nearest apartment building by approximately 528 feet and 465 feet respectively.

**Project Information**

**Proposed Use:** Apartment Complex  
**Land Area:** 1,540,325 sq. ft. (35.36 acres)  
**Building Area: 624,701 sq. ft. total**  
                   304,756 sq. ft. (phase one)  
                   319,945 sq. ft. (phase two)  
                   **624,701 total sq. ft.**  
**Number of Buildings: 51 total**  
                   26 (phase one)  
                   25 (phase two)  
                   **51 total buildings**  
**Dwelling Units: 548 units**  
                   282 units (phase one)  
                   302 units (phase two)

**584 units total**

**Building Height:** approximately 41' 3" feet (3 story units)  
approximately 30' feet (2 story units)  
approximately 27' 1" feet (clubhouse)

**Number of Stories:** 1-3

**Density:** 17.00 units per acre

16.72 units per acre (phase one)

17.29 units per acre (phase two)

**17.00 units per acre total**

**% Impervious Coverage:** 34%

**% Open Space:** 66%

**Parking Spaces: 1,200 spaces provided – 1,168 required**

499 Open parking spaces

88 Garage parking spaces

**587 Total phase one parking spaces provided**

549 Open parking spaces

64 Garage parking spaces

**613 Total phase two parking spaces provided**

**Unified Development Ordinance**

<b>Applicable Section(s)</b>	<b>Description</b>
2.240, 2.250, 2.260	Rezoning
2.300, 2.310	Preliminary Development Plan
2.320	Development plan and allowable modifications
7.080, 7.100	Preliminary Plat
8.890, 8.900	Minimum buffer/screen requirements

## Comprehensive Plan

Recommended Land Use	Proposed Land Use
Medium/High-density Residential*	Medium/High-density Residential

\*As found in the Future Land Use map of the Thoroughfare Master Plan

Focus Areas	Goals, Objectives and Policies
Overall Area Land Use	Objective 1.1 Objective 1.2 Objective 1.4
Residential Development	Objective 3.2 Objective 3.3 Objective 3.4

While the land use map associated with the 2005 Comprehensive Plan does not establish a recommended land use for this property, the proposed preliminary development plan supports the Comprehensive Plan by addressing many of the objectives and goals outlined in the plan. The Future Land Use map of the Thoroughfare Master Plan, which is a component of the overall Comprehensive Plan for the City, identifies this area as Medium/High-density Residential. A more thorough review is covered in the Zoning Analysis section of this staff letter.

## Process

**Procedure:** The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan and rezoning. The City Council takes final action on the preliminary development plan and rezoning.

**Duration of Validity:** Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four 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

- April 7, 2005 – The subject property was annexed into the city. The property was zoned AG in Jackson County prior to annexation. Upon annexation the property retained the AG zoning classification.

## Multi-Family Housing Assessment

In 2017 the City contracted with Vogt Strategic Insights (VSI) to conduct a housing study to evaluate the future market demand for new rental multi-family housing developments within the City. VSI projected that Lee's Summit will demand an additional 2,319 market rate units over the next decade.

The VSI study determined the demand for apartments in Lee's Summit to be very strong. Typical overall market occupancy rate for conventional apartments in markets similar to Lee's Summit was approximately 95%. At the time of the study the occupancy rate of surveyed projects in Lee's Summit was 98.4%. A vacancy rate of less than 5% indicates that overall market demand is exceeding the supply of available rental housing options.

VSI concluded that the demand for rental housing in the Lee’s Summit market area exceeded the available supply. The full text of the study may be found at [https://issuu.com/cityofleessummit/docs/housing\\_needs\\_assessment\\_2017](https://issuu.com/cityofleessummit/docs/housing_needs_assessment_2017).

<b>Projected Housing Demand for Market-Rate Units by Bedroom Type (2027)</b>		
<u>Bedrooms</u>	<u>Suggested Share of Units</u>	<u>Supportable Units</u>
One-Bedroom	45% - 60%	1,050 – 1,400 units
Two-Bedroom	30% - 45%	700- 1,050 units
Three-Bedroom	5% - 10%	115 – 230 units
Total		2,319

### **Public Comment**

This application has generated a significant amount of public comment. Many of the concerns voiced by the public center around the proximity of the project to the nearby elementary school and school capacity. The nearest proposed building is set back approximately 538 feet from the school building with the proposed detention pond, landscaping screen and school’s parking lot located between the buildings.

City staff is not in a position to speak for the Lee’s Summit School District on the specific impact this project will have on the operation of their schools. The school district is aware of the proposed project. To date, the school district has not contacted the City to express concerns over the proposed project.

The possible increase in traffic is a concern that has been frequently conveyed to staff. As part of the standard requirements for a project of this scope and magnitude, a Traffic Impact Study was required. The study concluded that additional traffic increase would have a negligible impact in the surrounding neighborhoods to the north.

Additionally, residents have voiced an apprehension to the project as they are concerned additional traffic may become a safety hazard for children who walk to school. The proposed project will have no direct vehicular access into the adjoining residential subdivision. All access to the property will be from SE Blue Pkwy.

### **Analysis of Rezoning**

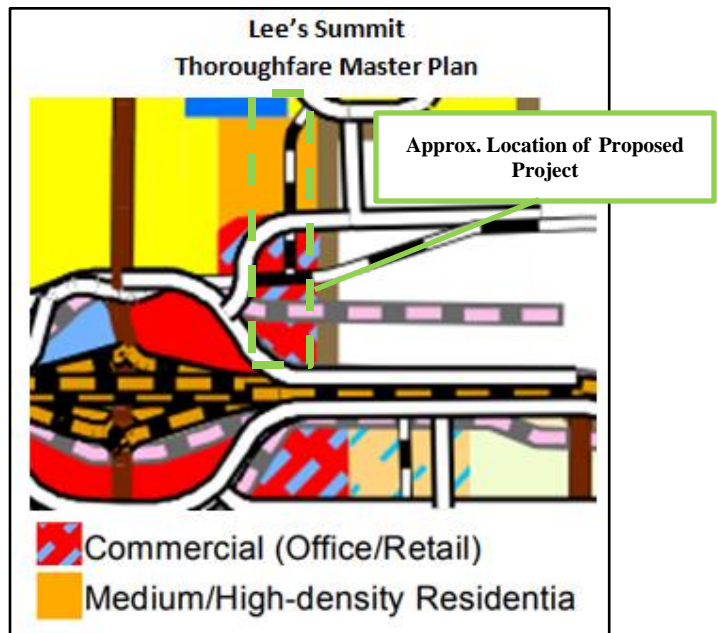
- **Comprehensive Plan.** While the land use map associated with the 2005 Comprehensive Plan does not establish a recommended land use type for this property, the plan itself does outline objectives for the development of the land within the city. It is important to note that the land use plan and map do not establish a legal mandate for future development, but is intended to be a general guide for evaluating development proposals and decisions.

The Comprehensive Plan seeks to achieve a high-quality living environment and diversified housing market by providing for diverse housing types in an effort to meet the changing housing needs of the community. The 2017 Rental Housing Supply Analysis conducted by

VSI identified a need to increase the available multi-family units by 2,319 over the next 10 years. The proposed plan seeks to address this need by developing additional multi-family housing.

The Comprehensive Plan also encourages developments that integrate diverse housing types and styles. By effectively integrating multi-family residential development into the fabric of land uses, the plan seeks to minimize the negative impact of multi-family development. By locating the proposed project adjacent to US 50 Highway, the development acts as a buffer and transition into the single family neighborhood to the north.

The City's Thoroughfare Master Plan, as a part of the Comprehensive Plan, identifies this area as a mix of medium/high-density residential and commercial office/retail. The Thoroughfare Master Plan was adopted by the Planning Commission on January 10, 2017. The purpose of this plan is to provide for a planned network of roadways for transportation throughout the city, assesses future travel conditions and identifies roadway improvements to keep pace with growth and address traffic related operations, safety, livability and economic activity priorities.



- **Surrounding Uses.** The properties on the east, south and west are unplatted, undeveloped and vacant. The subject property, as well as the properties to the south and west have historically been utilized for agricultural purposes. The properties to the north are zoned R-1 and are currently developed as an HOA pool/common ground and elementary school. The Highland Park Elementary school building sits approximately 335 feet north of the proposed project's property line. The nearest residential home (420 SE Stillwater Ct) is located approximately 280 feet north of the proposed project's property line.
- **Recommendation.** Staff recommends approval of the proposed rezoning to RP-4 from AG.

### Analysis of Preliminary Development Plan

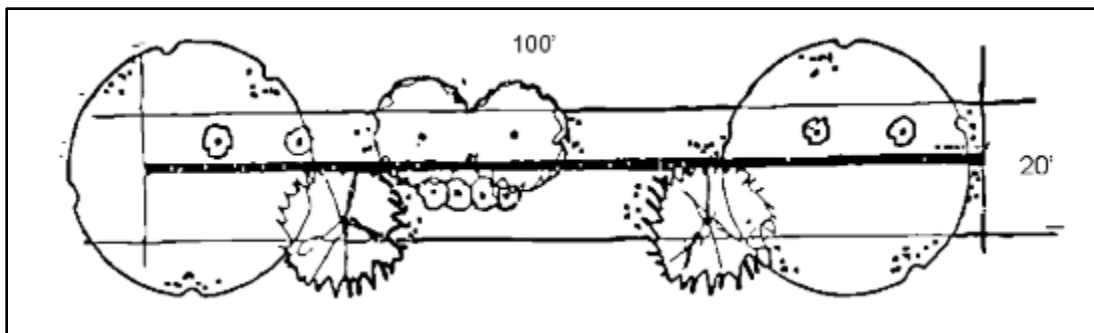
**Density.** Modification requested. **Staff supports the requested modification.**

- Proposed – The applicant proposes 17.0 units per acres.
- Required – The maximum density for the RP-4 zoning district is 12.0 units per acre.
- Recommended – Staff supports the proposed density. The proposed apartment development has significantly less impervious coverage than the recommended RP-4 maximum, which helps mitigate the increase in density by increasing the amount of open space. Additionally, the proposed density is comparable to other recently approved apartment developments. The table below compares the proposed density with that of other similar developments recently approved.

Project Name	Total Number of Units	Lot Acreage	Density
Village at View High Apartments	312	21.34	14.62 units/acre
Residences at New Longview	309	15.5	19.9 units/acre
New Longview Apts. (AMLI)	206	8.1	25.43 units/acre
The Fairways at Lakewood	272	12.97	21.14 units/acre
The Residences at Echelon	243	11.5	21.79 units/acre

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

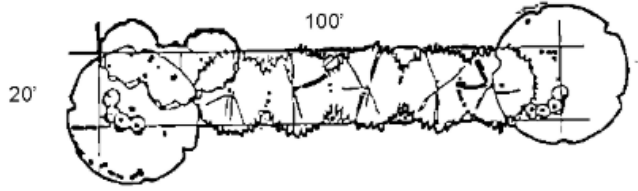
- Required – A one hundred percent (100%) opaque screen between land uses which are dissimilar in character. When the proposed plan is considered to have a high impact on surrounding properties, or the adjacent property is considered to have an adverse impact, both of the following shall be installed within the twenty (20) foot buffer yard: (1) six foot high masonry wall or opaque vinyl fence, (2) and low impact screening shall be planted on both sides for the wall or the fence. High impact screening is required along the north property boundaries where they abut the zoning district.



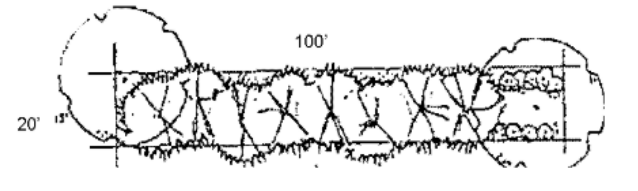
- Proposed – The applicant proposes to install a medium impact screening landscaping buffer along the northern property line. The medium impact landscape screen will meet one of the options as outlined in Article 8 of the UDO. The tables below outline the screening options as required by the UDO and provides a visual representation for each.

Screen A		
Shade trees	1/500 sq. ft.	
Ornamental trees	1/750 sq. ft.	
Evergreen Trees	1/300 sq. ft.	
Shrubs	1/200 sq. ft.	

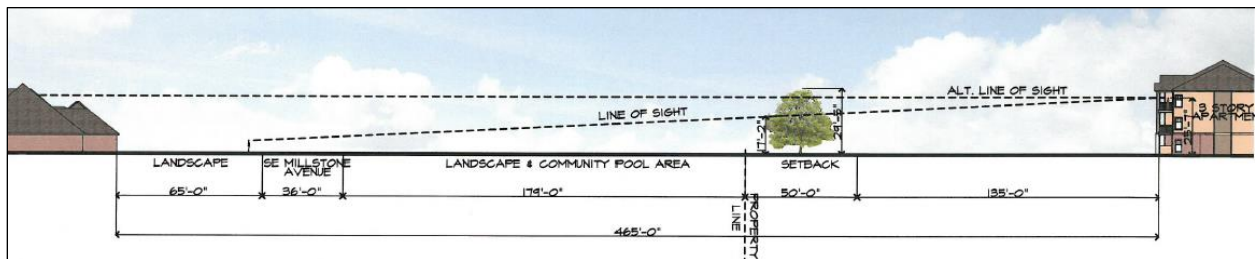
Screen B	
Shade trees	1/1,000 sq. ft.
Ornamental trees	1/500 sq. ft.
Evergreen Trees	1/300 sq. ft.
Shrubs	1/200 sq. ft.



Screen C	
Shade trees	1/750 sq. ft.
Ornamental trees	0 sq. ft.
Evergreen Trees	1/200 sq. ft.
Shrubs	1/200 sq. ft.



- Recommended – The medium impact screening will provide a 70 percent semi-opaque screen between land uses which are dissimilar in character. This semi-opaque screening will partially block views from adjoining land uses and create a separation between the adjoining properties. The applicant proposes to set the apartment buildings back from the northern property line approximately 135' to 204'. In addition to the proposed landscaping buffer the applicant has located the required storm water detention basin between the proposed buildings and landscaping buffer thus creating an additional buffer between the land uses. As seen in the below illustration, with the significant distances, a six (6) foot fence will have a negligible effect in providing a screen to the nearby residential homes. For these reasons staff believes the proposal to be reasonable and supports the requested modification.



### Sanitary Sewer Analysis

The applicant’s preliminary development plan application included a preliminary sanitary sewer analysis report and a preliminary public sanitary sewer alignment that has been reviewed and commented on by City staff. Based on the initial conclusions of the preliminary analysis and proposed alignment, it appears that an adequate sanitary sewer system can be designed and constructed. However more detailed design information is required in order to confirm. A final sanitary sewer analysis report shall be submitted, and accepted, by the City prior to any final



designs being initiated on any engineering plans. The final analysis shall address the following outstanding issues, previously raised by City staff:

1. A standalone capacity analysis study that includes background information, methodology, existing conditions, proposed conditions with the new development, ultimate development conditions for the entire watershed contributing to the sewer main being studied, conclusions, and required improvements.
2. Proposed ultimate drainage areas.
3. Ultimate flow loading at proper locations.
4. Adequate easement widths located appropriately to avoid conflicts with fences or other utilities.
5. Map for areas used for west route (existing conditions).
6. Spreadsheet showing manhole and pipeline information with flow and capacity information.

Following acceptance of the final analysis report, detailed engineering plans shall be submitted to the City for review. All sanitary sewer improvements shall be in accordance with the accepted Final Sanitary Sewer Analysis Report and the City's Design and Construction Manual.

## 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. 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 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.
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 approval of any engineering plans or Final Development Plan. A certified copy shall be submitted to the City for verification.
6. Private parking lots shall follow the Unified Development Ordinance for pavement thickness and base requirements.

7. 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.
8. All ADA sidewalk ramps shall be constructed by the developer at the time the streets are constructed.
9. All sidewalks adjacent to a common area tract, unplatted land or any land where no structure is intended to be built, and is required, shall be constructed by the developer at the time the street is constructed.

#### **Planning**

10. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All proposed signs must comply with the sign requirements of Article 9 of the UDO.
11. All ground mounted mechanical equipment must comply with the requirements of Article 8 of the UDO.
12. All exterior lighting fixtures must comply with the requirements of Article 8 of the UDO.
13. All trash enclosures must comply with the requirements of Article 8 of the UDO.
14. Parking lot lighting must comply with the requirements of Article 8 of the UDO.
15. A final plat shall be approved and recorded prior to any building permits being issued. All subdivision-related public improvements must be complete prior to approval of the final plat by the City Council unless security is provided in the manner set forth in UDO Section 7.340.

#### **Fire**

16. 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.
17. D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.
18. D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
19. D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
20. D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other

obstructions shall be permitted to be placed with the approval of the fire code official. Action required: Provide set backs as required.

21. IFC 507.1 - An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
22. IFC 506.1 - Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.  
506.1.1 Locks. An approved lock shall be installed on gates or similar barriers when required by the fire code official.

Attachments:

1. Transportation Impact Analysis prepared by Michael Park, dated October 18, 2018—4 pages
2. Traffic Impact Study, prepared by TranSystems, dated March 2018 – 57 pages
3. Preliminary Development Plan, date stamped, September 4, 2018 — 21 pages
4. Rezoning Exhibit, date stamped, September 4, 2018 – 1 pages
5. Future Land Use map of the Thoroughfare Master Plan
6. Site Line Rendering
7. Location Map exhibit