

City of Lee's Summit

Development Services Department

June 30, 2017

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *rgm*
RE: **PUBLIC HEARING – Appl. #PL2017-094 – REZONING from AG to RP-4 and CP-2 and PRELIMINARY DEVELOPMENT PLAN – West Ridge at the Lake, approximately 23 acres located at the southwest corner of NE Bowlin Rd and NE Jamestown Dr; Sallee Homes, applicant**

Commentary

The applicant proposes to rezone approximately 23 acres located at the southwest corner of NE Bowlin Road and NE Jamestown Drive from AG (Agricultural District) to RP-4 (Planned Apartment Residential District) and CP-2 (Planned Community Commercial District). The proposed development consists of a twenty (20) acre apartment development composed of 297 units in ten (10) buildings, plus a clubhouse. The remaining three (3) acres will be comprised of two (2) office buildings totaling 15,000 square feet.

The proposed building design presents a modern and urban style, utilizing materials and a color palette of gray and brown brick, gray cementitious siding, tan and cream stucco, and flat roofs with metal roofing accents.

Modifications are requested for the density, building and parking setbacks, and the high impact buffer along the south and west property lines. Staff supports the proposed modification requests for the density and setback requests, but is unable to support the request to allow a landscape-only perimeter buffer in lieu of fencing.

The traffic improvements required for this development include improving Bowlin Road to an urban standard with the addition of curb, gutter, and sidewalk from the intersection of Lakewood Way to the relocated intersection of Jamestown Road.

Apartment development

- 297 units on 20.12 acres
- 14.76 units/acre (density) –12.0 units/acre maximum in RP-4
- 614 parking spaces provided; 614 surface parking spaces required
- 46% proposed overall impervious coverage –80% maximum allowed impervious coverage
- 53% proposed overall open area –20% minimum required open area

Office development

- 15,000 square feet building area; two office buildings proposed
- 0.13 proposed overall FAR – 0.55 maximum allowed FAR
- 38% proposed overall impervious coverage – 80% maximum allowed impervious coverage
- 62% proposed overall open area – 20% minimum required open area
- 60 parking spaces provided; 60 parking spaces required

Recommendation

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

1. A modification shall be granted to the maximum density requirement in the RP-4 zoning district of 12 units per acre to allow 14.76 units per acre.
2. A modification shall be granted to the minimum front yard setback of twenty (20) feet for the RP-4 zoning district to allow the clubhouse to be set back ten (10) feet from NE Jamestown Drive.
3. A modification shall be granted for the RP-4 zoning district minimum rear yard setback of twenty (20) feet to allow fifteen (15) feet for Building 7.
4. A modification shall be granted to the minimum parking setback of twenty (20) feet from any public right-of-way, to allow a fifteen (15) feet parking setback for the parking lot adjacent to NE Jamestown Drive, near Building 9.
5. ~~A six (6) foot vinyl fence shall be provided along the south and west property lines with low impact landscape screening on the north and east sides of the fencing.~~ **A high impact buffer screen with plantings six feet in height, and without a fence, shall be provided along the south and west property lines. (amended by Planning Commission) The buffer screen shall consist of a combination of evergreen trees, deciduous trees, shrubs and ornamental grasses as depicted on the landscape plan dated June 29, 2017. (added by staff)**
6. Elevators are suggested to be installed within the apartment buildings.
7. Development shall be in accordance with the preliminary development plan, date stamped May 23, 2017.
8. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the required off-site transportation improvements listed in the TIA, dated June 7, 2017. No infrastructure permit shall be issued in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office. All public improvements shall be substantially complete prior to issuance of any occupancy permit within the development.

Project Information

Proposed Use: apartment and office development

Current Zoning: AG (Agricultural District)

Proposed Zoning: RP-4 (Planned Apartment Residential District) and CP-2 (Planned Community Commercial District)

Number of Lots: Lot 1—apartment development
Lot 2— office development
Total—2 Lots

Land Area: Lot 1 (apartment development)—20.12 acres
Lot 2 (office development)—2.63 acres
Total—22.75 acres

Total Number of apartment units: 297 units

Density: 14.76 units/acre

Office Building area: 7,000 square feet office building
8,000 square feet office building
15,000 square feet total office building area

Location: southwest corner of NE Bowlin Rd and NE Jamestown Dr

Surrounding zoning and use:

North: R-1 (Single-Family Residential)—Fleming Park

South: R-1 (Single-Family Residential)—Monticello single-family residential subdivision

East: AG (Agricultural)—vacant ground and Fleming Park

West: CP-2 (Planned Community Commercial) *Executive Lakes Center* and *Executive Lakes Business Center* commercial subdivisions

Analysis of Rezoning

West Ridge at the Lake. The proposal is to rezone approximately 23 acres, located at the southwest corner of NE Bowlin Road and NE Jamestown Drive, from AG (Agricultural District) to RP-4 (Planned Apartment Residential District) and CP-2 (Planned Community Commercial District). The property is immediately north of the Monticello subdivision and east of the Executive Lakes Business Center. The proposed *West Ridge at the Lake* development consists of a twenty (20) acre apartment development composed of 297 units in ten (10) buildings, plus a clubhouse. The remaining three (3) acres will be comprised of two (2) office buildings totaling 15,000 square feet.

Comprehensive Plan. The 2005 Lee's Summit Comprehensive Plan shows the area as a combination of commercial office/retail and medium/high density residential. The proposed plan fits well with the overall vision of the City's Comprehensive Plan.

Surrounding Uses. The property to the north and east is zoned R-1 and AG, respectively, is unplatted undeveloped property located within Fleming Park, owned by the United States Army Corps of Engineers. The future *Monticello* residential subdivision is zoned R-1 and located immediately to the south. The property to the west, *Executive Lakes Center* is zoned CP-2 and is comprised of office and other similar uses.

Recommendation. Staff recommends approval of the proposed rezoning to RP-4 and CP-2. The uses are consistent with the Comprehensive Plan and are compatible with the surrounding properties.

Analysis of Preliminary Development Plan

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

- Proposed – The applicant proposes 14.76 units per acres.
- Required – The maximum density for the RP-4 zoning district is 12 units per acre.
- Recommended – Staff is supportive of the proposed density. The proposed apartment development has significantly less impervious coverage than the RP-4 maximum and 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

Building Setbacks. Modification requested. **Staff supports requested modification.**

- Proposed – The applicant proposes a ten (10) foot front yard setback for the clubhouse from NE Jamestown Drive and a fifteen (15) foot rear yard setback for Building 7.
- Required – The required minimum front yard and rear yard setback for the RP-4 zoning district is twenty (20) feet.
- Recommended – Staff supports the requested modification to allow a ten (10) foot front yard setback for the clubhouse from NE Jamestown Drive and a fifteen (15) foot rear yard setback for Building 7 from the south property line. The clubhouse location seems appropriate for this site as the overall design theme of the project is to provide a modern, urban style feel. Allowing a close connection between the building and the street sidewalk is preferred. Building 7 has one corner of the building that is fifteen (15) feet from the property line, although the requested setback will be established at fifteen (15) feet, the building corner is adjacent to a large open space detention tract located within the Monticello subdivision. This open space creates a suitable buffer to the south.

Parking Setback. Modification requested. **Staff supports requested modification.**

- Proposed – The applicant proposes a fifteen (15) foot parking setback from NE Jamestown Drive, near Building 9.
- Required – The minimum parking setback from any public right-of-way is twenty (20) feet.
- Recommended – Staff supports the requested modification for the parking setback. Topographic constraints created challenges for the alignment of NE Jamestown Road. Those constraints necessitated one location where a parking lot corner was reduced to a fifteen (15) setback.

High Impact Buffer. Modification requested. **Staff does not support requested modification.**

- Proposed – In lieu of an opaque fence supplemented with landscaping, a twenty (20) foot landscaped-only perimeter buffer is proposed. The buffer is comprised of a planting bed with a dense variety of ornamental grasses and shrubs and a grassy area with shade trees planted within the grass.

- 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 south and west property boundaries where they abut the R-1 and CP-2 zoning district.
- Recommended – Staff does not support the requested modification for the high impact screening. Staff recommends an opaque vinyl fence be installed along the south and west property lines, along with low impact landscape screening on the north and east sides of the fencing.

Elevators. Staff requests the developer to provide elevators for the apartment buildings.

- Proposed – The proposed apartment buildings are three (3) stories in height and no elevators are proposed for the apartment buildings.
- Required – The 2012 International Building Code (IBC) 1007.2.1 requires elevators in buildings where a required accessible floor is four or more stories above or below a level of exit discharge, at least one required accessible means of egress shall be an elevator complying with Section 1007.4.
- Recommended – Staff requests elevators be installed within the apartment buildings to facilitate access within the varying floors and to provide a valued amenity for the apartment development.

Street Improvements. Since the proposed development will generate more than 100 vehicle trips to the surrounding street system in the peak hours, a traffic impact study was prepared and submitted to City staff for review. The study determined the proposed development will warrant the need to improve Bowlin Road to an urban standard that includes curb, gutter, and sidewalk from the intersection of Lakewood Way to the relocated intersection of Jamestown Road. For additional information refer to the Transportation Impact Analysis, as submitted by the City Traffic Engineer.

Livable Streets. The proposed development plan is in compliance with the City's Livable Street Policy. Elements of the plan supporting this policy include sidewalks, street connectivity and accessibility. For additional information refer to the Transportation Impact Analysis, as submitted by the City Traffic Engineer.

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 plat and approved prior to the approval of the final plat. 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 for prior to approval of the 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 prior if ground-breaking will take place prior to the issuance of an infrastructure permit or prior to the approval of the final development plan/engineering plans.
4. Lot 2 will be allowed to route the sanitary sewer west to the adjacent watershed. All future sanitary routing for area not included within this Preliminary Development Plan will be required to discharge to the northeast, within the designated watershed.
5. Private pavement sections shall either follow Article 12 of the UDO or Table LS-2 or LS-3 of the Design and Construction Manual for pavement thickness and base requirements. In lieu of this requirement the applicant may provide a signed and sealed geotechnical report that proposes an equivalent, alternate pavement section for consideration.
6. Upon approval of the proposed rezoning from AG to RP-4 and CP-2, by City Council, the applicant will become responsible to provide the appropriate level of right-of-way maintenance (mowing) during each growing season within the defined area abutting their property as defined and outlined in the City's Mowing Policy, approved by City Council on November 3, 2005

Fire

7. 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 of fire fighters and emergency responders during emergency operations, shall be in accordance with the 2012 International Fire Code.
8. 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. Action required: Show the locations of the FDC's.
9. IFC 507.5.1 Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Action required: Provide additional hydrants for coverage of the clubhouse, Building 1, and the buildings on Lot 2.

Planning

10. Sign permits shall be obtained prior to installation of any signs through the Department of Development Services. All proposed signs must comply with the sign requirements of Article 13 of the UDO.
11. 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 16.340.
12. No final plat shall be recorded by the developer until the Director of Development Services and the City Attorney have reviewed and approved the declaration of covenants and restrictions pertaining to common property as prepared in accordance with Section 5.330 of the UDO, and until the Director has received certification from the Missouri Secretary of State verifying the existence and good standing of the property owners' association required by Section 5.340 of the UDO. In addition, the approved Declaration of Covenants, Conditions and Restrictions shall be recorded prior to the recording of the final plat.

13. 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.
14. Landscaping requirements, including caliper and height requirements, shall meet the standards set forth in Article 14 of the UDO.
15. A right-of-way application shall be submitted for review and approval for the portion of "old" NE Jamestown Drive (former Bowlin Rd), required to be vacated.
16. All proposed lighting shall meet the standards set forth in Article 7 of the UDO. All light fixtures shall not exceed 15 feet in height within the perimeter area. For purpose of this standard, the perimeter area shall be measured 100 feet from the property line closest to the residential use and/or district. Outside the perimeter area, the overall height may be increased to 20 feet, measured to the top of the fixture from grade.
17. A revised photometric plan shall be provided illustrating the footcandle measurement at the property line.
18. The trash enclosure gates shall be a steel gate painted to be compatible with the color of the masonry walls it is to serve.

RGM/jmt

Attachments:

1. Transportation Impact Analysis prepared by Michael Park, dated June 7, 2017— 3 pages
2. Traffic Impact Study, prepared by Tran Systems, dated April 11, 2017 – 11 pages
3. Preliminary Development Plan and Rezoning Plan, date stamped May 23, 2017— 15 pages
4. Landscape Plan, date stamped May 23, 2017— 2 pages
5. Elevations, date stamped May 23, 2017— 3 pages
6. Correspondence from engineer outlining the modification requests—2 pages
7. Revised Landscape Plan, dated June 29, 2017 – 2 pages
8. Landscape Buffer Types, dated June 11, 2017 – 4 pages
9. Revised Project Area + Carports site plan, dated June 28, 2017
10. Location Map