

# City of Lee's Summit

## Development Services Department

October 6, 2017

TO: Planning Commission  
CHECKED BY: Josh Johnson, AICP, Assistant Director of Plan Services  
PREPARED BY: Shannon McGuire, Planner  
RE: **Appl. #PL2017-174 – REZONING from CP-2 to RP-3 and PRELIMINARY DEVELOPMENT PLAN – Siena at Longview, Lot 291; Engineering Solutions, LLC, applicant**

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### Commentary

The applicant proposes to rezone approximately 2.78 acres located south of the intersection of SW 16<sup>th</sup> St. and SW Corinth Dr. from CP-2 (Planned Community Commercial District) to RP-3 (Planned Residential Mixed Use District). The proposed rezoning and associated preliminary development plan is located in the Siena at Longview subdivision and will create 12 new lots. The home styles, architecture, lot sizes and estimated cost for the new homes will be similar to the existing Siena development.

The applicant requests a modification to the high impact screening along the south property line and a modification to the required 25 foot front yard setback for front facing garages. Staff supports the requested modifications.

- 12 lots on 2.78 acres
- 4.31 units/acre – 10 units/acre maximum permitted

### Recommendation

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

1. A modification shall be granted to the RP-3 minimum front setback requirement of 25 feet, to allow a 22-foot front yard setback for Lots 217, 218, 224 & 320-328.
2. A modification shall be granted to the required high impact landscape screen along the south property line, to require no landscape screen.

### Project Information

**Proposed Use:** Single-family residential subdivision

**Current Zoning:** CP-2 (Planned Community Commercial District)

**Proposed Zoning:** RP-3 (Planned Residential Mixed Use District)

**Land Area:** 2.78 acres

**Number of Lots:** 12 lots

**Density:** 4.31 units/acre

**Location:** south of the intersection of SW 16<sup>th</sup> St. and SW Corinth Dr.

### **Surrounding zoning and use:**

**North:** RP-3 (Planned Residential Mixed Use District) — Siena at Longview subdivision

**South:** CP-2 (Planned Community Commercial District) – Vacant ground (City owned)

**East:** R-1 (Single-Family Residential)—vacant ground

**West:** RP-3 (Planned Residential Mixed Use District) — Siena at Longview subdivision

## **Background**

- March 4, 1986 – The City Council approved the rezoning request (Appl. #1985-068 from R-1 to CP-2 and RP-3, as well as a concept plan for the Longview Farm property. This plan consisted of single family residential, apartments, office and retail spaces. Although approved, the concept plan was never constructed. The existing CP-2 zoning on the subject property was established as part of this rezoning.
- May 13, 1999 – The City Council approved the preliminary site plan (Appl. #1999-168) for the Carriage Homes development. This application was for 61 duplexes (122 units) on 27.44 acres of existing RP-3 zoned land located at the northeast corner of Sampson Rd and Scherer Rd.
- July 1, 1999 – The City Council approved the final site plan (Appl. #1999-164) for the Carriage Homes development. These units were never constructed.
- September 21, 2000 – The City Council approved the preliminary (Appl. #2000-168) and final (Appl. #2000-170) site plans for the Siena at Longview subdivision.
- September 26, 2000 – The Planning Commission approved the preliminary plat (Appl. #2000-169) for *Siena at Longview, Blocks 1-7 and Tracts A, B and C*.
- October 12, 2000 – The City Council approved the final plat (Appl. #2000-171) for *Siena at Longview, Blocks 1-7 and Tracts A, B and C* by Ordinance No. 5048.

## **Analysis of Rezoning**

**Siena at Longview.** The proposal is to rezone approximately 2.78 acres located south of the intersection of SW 16<sup>th</sup> St. and SW Corinth Dr. from CP-2 (Planned Community Commercial District) to RP-3 (Planned Residential Mixed Use District). The proposed rezoning and associated preliminary development plan is located in the Siena at Longview subdivision and will create 12 new lots. This will be the final phase of the Siena at Longview subdivision.

**Comprehensive Plan.** The 2005 Lee's Summit Comprehensive Plan shows the area as retail use. The proposed rezoning is a deviation from the Comprehensive Plan, however it is consistent with the preliminary (Appl. #2000-168) and final (Appl. #2000-170) site plans for the Siena at Longview subdivision approved by City Council on September 21, 2000. Staff supports the proposed rezoning.

**Surrounding Uses.** The properties to the north and west are zoned RP-3 (Planned Residential Mixed Use District) and are a part of the existing Siena at Longview subdivision. The property to the south is zoned CP-2 (Planned Community Commercial District) and consists of undeveloped city owned ground originally acquired for a proposed SW Scherer Pkwy project that has since been abandoned. The City has no plans for this surplus property at this time. The property to the east is zoned R-1 (Single-Family Residential) and is currently undeveloped PRI property.

**Recommendation.** Staff recommends approval of the proposed rezoning to RP-3. The use is compatible with the existing Siena at Longview residential subdivision and consistent with the previously approved preliminary and final site plans. The subject 2.78 acres is the final phase of the existing development

### **Analysis of Preliminary Development Plan**

**Front Yard Setback.** Modification requested. **Staff supports requested modification.**

- Proposed – The applicant proposes a 22-foot front yard setback for Lots 217, 218, 224 & 320-328.
- Required – The required minimum front yard setback for the RP-3 zoning district is 20 feet for buildings and 25 feet to a front facing garage.
- Recommended – Staff supports the requested modification to allow a 22-foot front yard setback. The proposed setback matches the existing Siena at Longview residential subdivision and is consistent with the previously approved preliminary and final site plans.

**High Impact Landscape Screen.** Modification requested. **Staff supports requested modification.**

- Proposed – The applicant proposes to eliminate the requirement for installing a high impact landscape screening along the south property line.
- Required – high-impact screening along the south property line, adjacent to the CP-2 zoned City owned property.
  - A twenty (20) foot buffer yard;
  - Low impact screening planted on both sides of the wall or the fence; and
  - Six foot high masonry wall or opaque vinyl fence
- Recommended – Staff supports the requested modification to allow no landscape screening. The south property lines of the proposed lots are adjacent to a significant area of green space along SW Scherer Rd, which gives the appearance of a buffer and adequate separation distance from the roadway. The adjacent property to the south is surplus City owned property for which there are currently no plans to develop. This request is consistent with the previously approved preliminary and final site plans.

### **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 building permits.
2. A Master Drainage Plan (MDP) shall be submitted and approved in accordance with the City's Design and Construction Manual for all areas of the development, including all surrounding impacted areas, along with the engineering plans for the development. The MDP shall address drainage level of service issues on an individual lot basis

3. All Engineering Plan Review and Inspection Fees shall be paid 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).
4. 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.
5. The As-graded Master Drainage Plan shall be submitted to and accepted by the City prior to the issuance of a certificate of substantial completion and prior to the issuance of any building permits for the development.
6. A Land Disturbance Permit shall be obtained from the City 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.
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.

**Fire**

8. 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.

Attachments:

1. Rezoning Exhibit dated September 8, 2017—1 page
2. Preliminary Development Plan, date stamped September 8, 2017— 7 pages
3. Modification request letter—1 page
4. Location Map