



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-330
File Name	REZONING from AG to R-1 and PRELIMINARY DEVELOPMENT PLAN – Woodland Oaks, Lots 1-42 and Tracts A-C
Applicant	Engineering Solutions, LLC
Property Address	2501 and 2601 NE Colbern Road
Planning Commission Date	September 10, 2020
Heard by	Planning Commission
Analyst	Victoria Nelson
Checked By	Hector Soto, Jr., AICP, Planning Manager and Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: May 21, 2019
Neighborhood meeting conducted: September 3, 2020
Newspaper notification published on: August 19, 2020
Radius notices mailed to properties within 300 feet on: August 19, 2020
Site posted notice on: August 19, 2020

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Attachments

Overall Site Plan, date stamped February 25, 2020
Single-Family Elevations, date issued on February 5, 2019 and September 20, 2019

Final Sanitary Study, date stamped May 20, 2020 - 4 pages

Macro Storm Water Drainage Study, date stamped March 3, 2020, revised May 26, 2020 - 10 pages

Traffic Impact Analyses - 2 pages

Public Comments - 10 pages

Neighborhood Meeting Notes, dated September 8, 2020 – 2 pages

Location Map

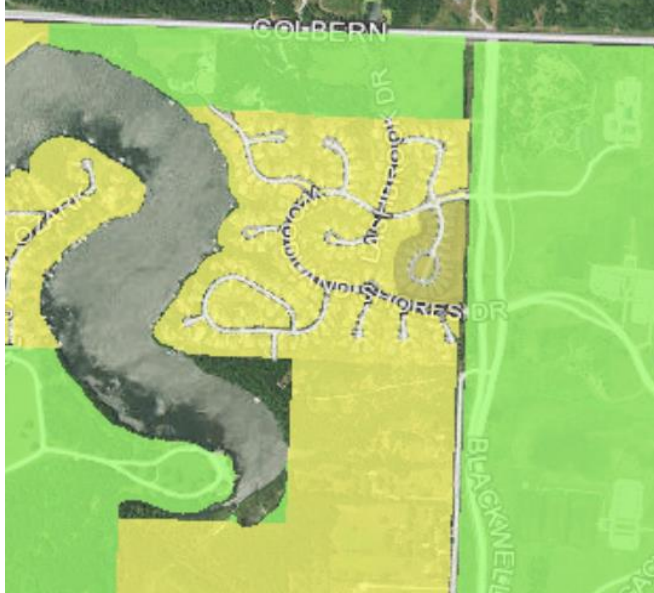
1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions, LLC/Engineer
Applicant’s Representative	Matt Schlicht/Engineer
Location of Property	2501 and 2601 NE Colbern Rd
Size of Property	±20.0 Acres
Existing Zoning	AG (Agricultural)
Proposed Zoning	R-1 (Single-family Residential)
Number of Lots	42 Lots and 2 common area tracts
Density	2.3 units/acre proposed 4.0 units/acre max allowed in R-1 (Single-family Residential)
Comprehensive Plan Designation	Single Family Residential and Retail
Procedure	The Planning Commission makes a recommendation to the City Council on the proposed rezoning and preliminary development plan. The City Council takes final action on the rezoning and preliminary development plan.
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. There is no expiration to an approval for rezoning.

Current Land Use
The property is a vacant piece of land zoned Agriculture (AG).

Description of Applicant’s Request
The applicant seeks a rezoning and preliminary development plan approval for Woodland Oaks. The plan proposes forty-two (42) single-family residential estate lots and three tracts.

2. Land Use

Description and Character of Surrounding Area	
	<p>The property is located on the southwest corner of NE Colbern Rd and NE Blackwell Pkwy. It is located northwest of Legacy Park and east of Prairie Lee Lake. The abutting neighborhood to the south is comprised of single-family residential housing.</p>

Adjacent Land Uses and Zoning

North (across NE Colbern Rd):	Lake Jacomo (outside of city limits)
South:	Single-family residential/R-1
East (across NE Blackwell Pkwy):	Legacy Park/AG
West:	Single-family residences on large acreage tracts/AG

Site Characteristics
<p>The site's topographic layout is very diverse. The 10-acre parcel addressed as 2501 has a steep terrain that sloped downward as you move from east to west and has a steep gully on the north side of the property along NE Colbern Rd. The 10-acre parcel addressed as 2601 has a slight incline that runs from north to south.</p>

3. Project Proposal

Setbacks (Perimeter)

Yard	Building Required	Building Proposed
Front	30'	30'

Side	7.5'	7.5'
Rear	30'	30'

Structure(s) Design

Number and Proposed Use of Buildings
42 single-family residences
Building Height
40' max per UDO standards – R-1 estate lots
Number of Stories
2

4. Unified Development Ordinance (UDO)

Section	Description
4.090	R-1 (Single-Family Residential) District
6.030.	Minimum lot size
6.040.	Minimum principal building setbacks
6.050.	Maximum structure heights
2.240,2.250,2.260	Rezoning
2.260,2.300,2.310,2.320	Preliminary Development Plan

Unified Development Ordinance

The proposed use follows Sec. 4.090 of the UDO for the R-1 zoning district, which “permits single-family detached dwellings at low density and supports the goal of the Lee's Summit Comprehensive Plan in providing single-family densities at a maximum of four (4) units per gross acre in close proximity to existing urban development.

5. Comprehensive Plan

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

Comprehensive Plan

The uses are generally consistent with the recommended land use designation of single-family residential in the Comprehensive Plan; is compatible with the existing and planned surrounding land uses; and meets the Comprehensive Plan objectives of providing a diverse housing type that meets an identified need in the market.

6. Analysis

Background and History

The proposed rezoning and preliminary development plan is for the construction of forty-two (42) single-family homes for a new subdivision called Woodland Oaks. The subject property is a 20-acre vacant piece of property.

In the beginning planning stages for Woodland Oaks, the original plat had one single-point of access through Woodland Shores via NE Lashbrook Dr. After hearing the concerns from the Woodland Shores residents regarding increased traffic through their neighborhood, the plat was reconfigured so that there are now two access points into the Woodland Oaks subdivision, one that is through the Woodland Shores subdivision to the south and one directly to NE Blackwell Parkway.

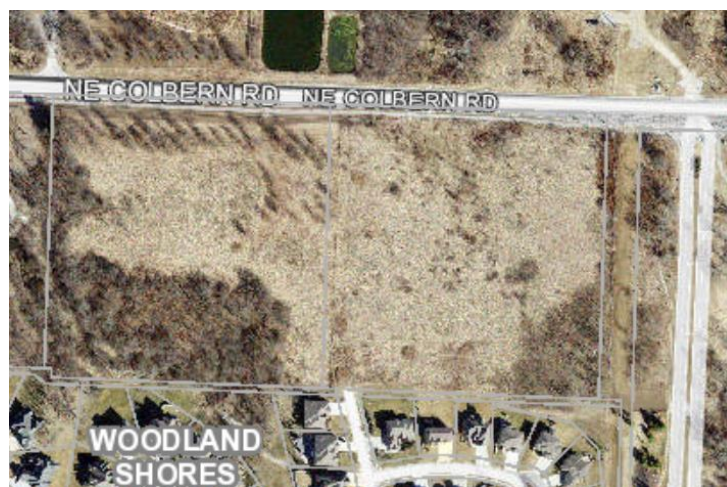
- December 31, 1964 – The subject property was part of a larger city-wide annexation. The property retained the Agricultural zoning designation that it already carried at the time of its annexation.

Analysis of Rezoning

The proposal to rezone approximately 20 acres from AG to R-1 is to ensure compatibility with the neighboring Woodland Shores subdivision and to continue the existing R-1 zoning that dominates the residential landscape along the NE Blackwell Pkwy corridor.

Compatibility

The proposed subdivision is consistent with the abutting Woodland Shores subdivision. The proposed homes will be 2-story maximum height and materials include composition roofs, stucco and stone on the front, which is the same height and materials as Woodland Shores homes. As for density comparison, the new Woodland Oaks has 42 lots on 18.5 acres, yielding a density of 2.27 units per acre; Woodland Shores has 66 lots on 29.64 acres, yielding a density of 2.23 units per acre. Setbacks in both subdivisions follow the normal R-1 zoning standards of 30' front yard, 30' rear yard, and 7.5' side yard.



Adverse Impacts

The proposed single-family development will not detrimentally impact the surrounding area. The buildings are designed and located to be compatible with neighboring properties and should enhance the neighborhood.

Public Services

The proposed development will tie into and extend the existing water, sanitary sewer, and street infrastructure. The stormwater will be managed through a storm sewer system and two detention basins. Offsite sanitary sewer improvements will be required as part of the approval of this proposed development.

The proposed development will not impede the normal and orderly development of the surrounding property. This will eliminate the gap amongst the surrounding properties and create a more unified connection for the neighborhoods.

The Transportation Impact Analysis prepared by the City Traffic Engineer indicates that the new development will not likely generate more than 100 vehicle trips to the surrounding street system during a peak hour. Two access points will serve the subdivision. One will be a proposed right-in/right-out intersection along NE Blackwell Parkway that will be approximately 500 feet south of NE Colbern Road and approximately 680 feet north of NE Woodland Shores Drive. The second access point will come via the existing dead end neighborhood street, NE Lashbrook Drive, which will extend into the abutting Woodland Shores subdivision. NE Lashbrook St was planned for future extension at the time the Woodland Shores subdivision was approved for development.

Modifications

Cul-de-sac lots, maximum number of. Modification requested.

- Required – Cul-de-sac lots shall not exceed 10% of total lots in the subdivision; 4 cul-de-sac lot maximum based on 42 total proposed subdivision lots.
- Proposed – 79% cul-de-sac lots; 33 cul-de-sac lots
- Recommended – Except where topography or other conditions justify their use, cul-de-sacs are generally discouraged in subdivision design. The subject property has significant topographical features that inhibit the ability to provide an interconnected grid or modified grid street system (see images below). The proposed subdivision well exceeds the maximum number of cul-de-sac lots allowed in a subdivision, all attributable to the topographical challenges presented by the property. Staff supports the requested modification.



Figure 1- Existing topography

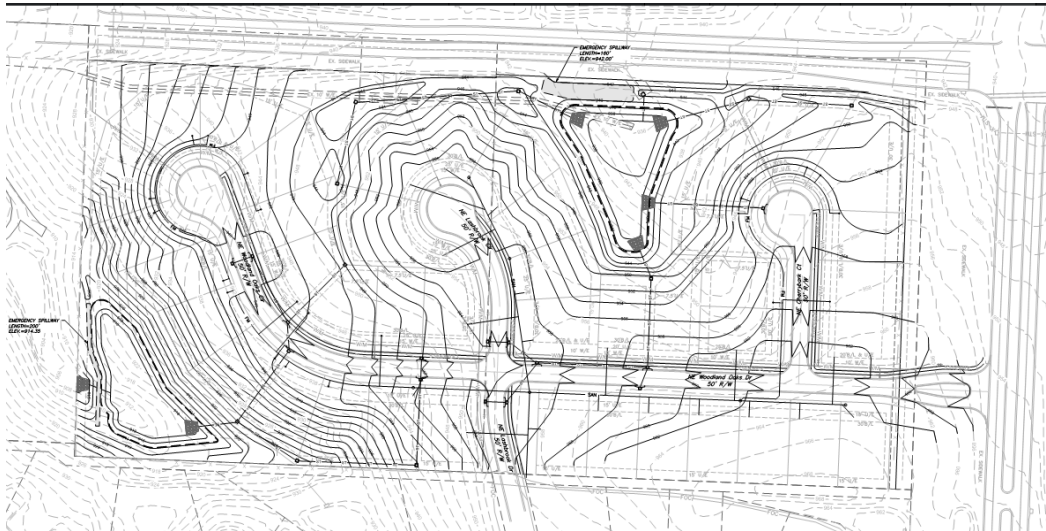


Figure 2 – Proposed topography (i.e., grading plan)

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and the Design & Construction Manual (DCM).

7. Recommended Conditions of Approval

Site Specific

1. A modification to the 10% maximum allowance of cul-de-sac lots in a subdivision shall be granted, to allow 79% cul-de-sac lots.
2. The architectural style and building materials for the single-family homes shall be consistent with the building elevations date issued February 5, 2019 and September 20, 2019.

Standard Conditions of Approval

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.
3. 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.

4. 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). 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 7.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Article 3, Division V, Sections 3.540 and 3.550 and Article 3, Division IV, Section 3.475 of the UDO, respectively.
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 groundbreaking will take place prior to the issuance of an site development permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
7. 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 issuance of a Certificate of Substantial Completion or approval of the final plat. A certified copy shall be submitted to the City for verification.
8. A restriction note shall be included on the final plat stating: "Individual lot owner(s) shall not change or obstruct the drainage flow paths on the lots, as shown on the Master Drainage Plan, unless specific application is made and approved by the City Engineer.
9. Upon approval of the proposed rezoning from AG to R-1, by City Council, the applicant will become responsible to provide the appropriate level of right-of-way maintenance (mowing) during each growing season with the defined area abutting their property as defined and outlined in the City's Mowing Policy, approved by Council on November 3, 2005.
10. Sanitary sewer capacity will be exceeded downstream of the development within the Woodland Oaks subdivision. The applicant must provide a plan for upgrading the lines to eliminate surcharging of the sanitary sewer lines. The offsite sanitary sewer improvements will be required to be substantially complete prior to any building permits being issued.
11. A final plat shall be approved and recorded prior to any building permits being issued.