

City of Lee's Summit

Department of Planning & Codes Administration

September 23, 2016

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director
RE: **PUBLIC HEARING – Appl. #PL2016-149 – REZONING from AG and CP-1 to PMIX and PRELIMINARY DEVELOPMENT PLAN – The Residences at Echelon, approximately 24 acres located at the northwest corner of SW M-150 Hwy. and SW Hollywood Dr.; Engineering Solutions, LLC, applicant**

Commentary

The applicant proposes to rezone approximately 24 acres located at the northwest corner of SW M-150 Hwy. and SW Hollywood Dr., from AG (Agricultural) and CP-1 (Planned Neighborhood Commercial) to PMIX (Planned Mixed Use) for the construction of eight (8) 3- and 3/4-story split apartment buildings, with garages on bottom, composed of 243 units. Materials consist of stone, Hardie lap siding, and Hardie panels. Currently, this property is comprised of Aldersgate Methodist Church and Arvest Bank. The apartment development will sit on the north 11.15 acres of the larger 24 acre site. As part of this development the property will be replatted into 3 lots and the existing SW Cheddington Drive will be realigned as needed.

As part of the PMIX zoning district designation, the applicant requests setting a standard setback from parking garages on the south side of 9.87 feet.

The development lies within the M-150 Corridor Overlay district, requiring additional design and sustainability elements within the plan. The proposed plan provides a variety of these elements, such as an internal trail system; bicycle facilities; a community garden; and several safe rooms for severe weather. The applicant's proposed plan exceeds the 300 minimum points required for a residential development.

The Planning Commission recommended approval of the rezoning for the 11.15 acres that comprises the proposed apartment complex. Staff has provided additional analysis regarding staff's recommendation and reasoning for choosing PMIX over any of the CDO districts; taking into consideration map errors, project location, and current market conditions. Staff remains committed to the rezoning of all 24 acres to PMIX.

- 243 units on 11.15 acres
- 21.79 units/acre (density)
- 64.9% impervious coverage
- 35.1% open space
- 441 parking spaces provided (214 surface, 20 carport, 100 detached garage, and 107 attached garage); 486 spaces required (alternate parking plan provided)

Recommendation

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

1. A modification shall be granted to the maximum allowed wattage for parking lot lighting, Section 7.250.G.1, to allow for a maximum wattage of 204 per the Photometric Site Plan date stamped September 6, 2016.

2. All light fixtures shall be LED.
3. Development standards including density, lot area, setbacks, shall be as shown on the Preliminary Development Plans date stamped September 6, 16, and 20, 2016.
4. Unless otherwise waived by MoDOT, the existing yield sign at the intersection of M-150 Highway and SW Hollywood Drive should be changed to a stop sign and such sign shall be visible to southbound traffic on SW Hollywood Drive with any sight conflict mitigated.
5. **The rezoning to PMIX shall only be limited to the 11.15 acre site of the apartment development. (Added by the Planning Commission. Staff recommends deleting this condition.)**

Project Information

Proposed Use: apartments

Current Zoning: AG (Agricultural) and CP-1 (Planned Neighborhood Commercial)

Proposed Zoning: PMIX (Planned Mixed Use)

Land Area: 0.40 acres (17,268.82 square feet)—Tract A
 1.86 acres (79,470.61 square feet)—Right-of-Way
 2.50 acres (108,861.40 square feet)—Lot 1 (bank--existing)
 7.94 acres (345,884.00 square feet)—Lot 2 (church--existing)
11.15 acres (485,672.32 square feet)—Lot 3 (apartments--proposed)
 23.85 acres (1,037,157.15 square feet)--Total

Number of Lots: 3 lots

Dwelling Units: 243 units

Density: 21.79 units/acre

Location: Northwest corner of SW M-150 Hwy. and SW Hollywood Dr.

Surrounding zoning and use:

North: AG—vacant undeveloped large lot

South (across SW M-150 Hwy.): CP-2—bank and daycare

East (across SW Hollywood Dr.): AG and CP-2—vacant undeveloped property and Summit Crest Plaza retail strip center and future Wal-Mart

West (across future SW Cheddington Dr.): AG—Summit Lakes Middle School, the Lee's Summit R-7 Aquatic Center, and Trailridge Elementary School

Background

- March 3, 1997 – The City Council approved the final development plan (Appl. #1997-108) for Aldersgate Methodist Church located at 350 SW M-150 Hwy.
- July 3, 1997 – The minor plat *Aldersgate Methodist Church, Lot 1* (Appl. #1997-209) was recorded at the Jackson County Recorder of Deeds office by Instrument #1997I0040577.
- October 7, 1997 – The City Council approved the final development plan (Appl. #1997-109) for BC National Bank (now Arvest Bank) located at 360 SW M-150 Hwy.

- October 14, 1997 – The City Council approved a rezoning (Appl. #1997-056) from District A (Agricultural) to District CB (Controlled Business) for property located at 360 SW M-150 Hwy. by Ord. #4523.
- November 12, 1997 – The minor plat *Resurvey of Lot 1, Aldersgate Methodist Church* (Appl. #1997-210) was recorded at the Jackson County Recorder of Deeds office by Instrument #1997I0070604.
- November 1, 2001 – The Unified Development Ordinance (UDO) became effective and changed District CB to District CP-1 (Planned Neighborhood Commercial).
- March 27, 2012 – The Planning Commission adopted the Comprehensive Plan for the M-150 Sustainable Development Corridor.

Analysis of Planning Commission Recommendation and Reason for PMIX Zoning

The approved M-150 CDO Framework Plan does show the property proposed for the apartment complex as Commercial (Office and Retail). The original map was in error by not showing Aldersgate Church as “Public” similar to the school just west of the proposed apartment project on the north portion of the church property. The apartment parcel’s location, north of the church, is not well suited for commercial but is very well suited for multi-family. Staff suggested the PMIX zoning in lieu of one of the CDO districts partially because of the mapping error and partially due to the requested density.

Since the approval of the CDO and regulatory language, development patterns have changed and multi-family is no longer being considered at 12 dwelling units per acre (which is the maximum under the CDO). When the CDO was originally drafted staff was seeking higher density for multi-family along the M-150 corridor; however, this was reduced to 12 units per acre during the approval process. In order to sustain quality commercial developments along the corridor it will be imperative to add roof-tops and increase population in this area. Lee’s Summit has approved several new apartment complexes in pursuit of meeting market demands. These new complexes are in the range of 20 units per acre, are upscale and have rents that are consistent with the upscale living environment.

The property being sold by the church will become somewhat of a remnant parcel that was not considered in the overall development along M-150 since it was church owned at the time. The PMIX zoning is intended to encompass the church property, the apartment complex, and the bank at SW M-150 and SW Cheddington Drive as well as a parcel just north of the bank. The applicant for the multi-family development previously met with the bank and received a request from the bank to be rezoned to PMIX.

Staff did not want to lose the ability to utilize the Sustainable Menu in reviewing this project and the PMIX district allows staff the ability to retain those standards. Overall staff’s position is that this is an acceptable alternative to the CDO zoning districts and should be given consideration as such at this time.

The Planning Commission recommended approval of the multi-family application but pared back the PMIX zoning request to only include the parcel associated with the development plan application. Rezoning only the 11.15 acres that comprise the proposed apartment complex would result in a remnant parcel, located north of the bank, being left as AG. Staff disagrees

with paring back the PMIX and remains firm that the PMIX request be approved in its entirety as submitted.

Analysis of Rezoning

Comprehensive Plan. The 2005 Lee’s Summit Comprehensive Plan and the M-150 Sustainable Corridor Vision and Framework Plan show the area as Commercial (Office/Retail).

Surrounding Uses. The properties to the north and east are vacant undeveloped tracts of land. The property immediately to the south is the Aldersgate Methodist Church. The property to the west is comprised of the Summit Lakes Middle School, the Lee’s Summit R-7 Aquatic Center, and the Trailridge Elementary School.

Request. The applicant proposes to rezone 23.85 acres from AG and CP-1 to PMIX for construction of eight (8) 3-story apartment buildings, totaling 243 dwelling units, and a clubhouse. A church and bank already exist immediately adjacent to SW M-150 Hwy.

Recommendation. Staff supports the requested rezoning to PMIX. The proposed use is compatible with the surrounding properties. Additionally, the proposed use provides a buffer between the retail/commercial uses immediately to the east and the school and residential uses to the west.

Analysis of Preliminary Development Plan

The applicant proposes to construct eight (8) 3-story and 3/4-story split apartments, with garages on bottom levels, and a clubhouse. The development of the 243 unit apartment complex will necessitate the property being replatted into 3 lots and the existing SW Cheddington Drive being realigned to better serve the development.

Alternate Parking Plan. Article 12 of the UDO allows the number of parking spaces to be provided for a particular use or development to be established through approval of an Alternate Parking Plan, in lieu of the standard parking requirement table, in order to tailor the parking to the particular needs of the use or development. An alternate parking plan can be approved as part of the preliminary development plan and does not require a modification to the UDO.

The UDO requires the number of parking spaces shown below:

Use	Spaces	Per
Multi-family Residence	1	Efficiency or studio unit
	1.5	1 or 2 bedroom unit
	2	3 or more bedroom unit
	Plus 0.5	Per unit for visitor parking

The applicant proposes an Alternate Parking Plan to provide parking at 1.8 spaces per unit. The apartments are 1 and 2 bedroom units. Staff supports the alternate parking plan proposal of 441 parking spaces (214 surface, 20 carport, 100 detached garage, and 107 attached garage). Staff is aware of several other similar developments within the Kansas City metropolitan area that are parked at ratios ranging from 1.6-1.8 spaces per unit.

Sustainability Standards. The M-150 Corridor Overlay District has an established Menu of Sustainability Options designed to further the goals of the overlay district. Different point values

are assigned to certain site or building design features that are incorporated into a proposed development. Multi-family residential developments are required to attain a minimum of 300 out of 565 possible points.

The applicant has provided the following list of the design features, and corresponding points, from the Menu of Sustainability Options incorporated into the proposed development:

- Pedestrian Access: 5 points
- Bicycle Facilities: 10 points
- Livable Streets: 35 points
- Parking Maximum: 5 points
- Electrical Vehicle (EV) Charging Station: 2 points
- Park and Trails: 10 points
- Landscaping Irrigation: 10 points
- Food Supply-Community Gardens: 5 points
- Safe Routes to School: 5 points
- Low Impact Development/Best Management Practices: 15 points
- Parking Lot Landscaping: 5 points
- Native and/or Drought-tolerant Landscaping: 5 points
- Water Recycling: 10 points
- Solar Oriented Residential Development: 10 points
- Solar Equipped/Solar Ready Homes: 10 points
- Safe rooms to be installed in buildings 1, 3, 5, and the Clubhouse: 50 points
- Green Building Practices: 50 points
- Locally-Sourced Materials: 10 points
- Shade Structures-Covered Parking Spaces: 30 points
- Exterior Lighting: 10 points
- Durable Materials: 5 points
- Waste Management: 5 points
- Construction Waste Reduction: 5 points
- Recycling Stations and Kitchen Recycling: 5 points

The design features listed above earn the proposed development a total of 312 points. This exceeds the minimum requirement of 300 points out of 565 total possible points.

Maximum Wattage for Parking Lot Lighting. Modification requested. **Staff supports the requested modification.**

- Required – Section 7.250.G.1 of the UDO requires a maximum wattage of 175-Watts for all parking lot lighting fixtures on developments that adjoin residential uses and/or districts.
- Proposed – The applicant proposes 204-Watts for the parking lot fixtures.
- Recommendation – Staff supports the requested modification to the maximum wattage for the parking lot lighting fixtures because the parking lot lighting meets the required uniformity ratios and the lighting levels are near 0 at the property lines.

PMIX District. The PMIX District is intended to allow greater flexibility in development standards, including building setbacks and density. The proposed development plan indicates a building setback of 9.87-feet for 3 of the 4 detached parking garages along the southern property line. Staff is supportive of the proposed setback since the minimum setback for detached garages is normally 10-feet from side and rear property lines and this is less than 1-

foot off. The table below compares the proposed density with that of other similar developments recently approved.

Project Name	Total Number of Units	Lot Acreage	Density
The Residences at Echelon (proposed)	243	11.15	21.79 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

Sanitary Sewer Analysis. Section 16.400 of the UDO states: *“Sanitary sewers shall be extended to the subdivision boundary line to serve adjacent property, except where adjacent property can be served by future sewer extension through dedicated right-of-way. These sewers shall be of adequate size to serve the upstream basin, as determined by the City Engineer.”* Staff’s initial recommendation (to Planning Commission) was that the existing sanitary sewer, that is currently available along the southern boundary of the property, shall be extended to the northern plat boundary as required by Section 16.400. In addition, the application being proposed also will require a replat of the subject property which requires the applicant to extend the public sanitary sewer to the (northwest corner of the) plat boundary.

This initial recommendation will most likely require the redesign and reinstallation of a portion of the downstream sanitary sewer line beginning at the manhole located at the southwest corner of *Lot 1-B, Aldersgate Methodist Church* (MH #57-036). The applicant has indicated that this alternative would place, what they believe to be, an inappropriate financial burden on the proposed development.

Following a more in-depth analysis of the surrounding existing public sanitary sewer system, the topography of the adjacent undeveloped property to the north of the proposed application in relation to the subject property, and the developed conditions of the property to the west of the proposed development (Summit Lakes Middle School, the Lee’s Summit R-7 Aquatic Center, and Trailridge Elementary School), it has been determined that there is more than one potential alternative solutions of how to provide sanitary sewer service to the undeveloped property and that one of these alternate solutions may be a more appropriate or optimum solution for providing the (future) sanitary sewer service.

It is staff’s opinion that the more appropriate or optimum solution would be to provide sanitary sewer service from the southwest corner of the undeveloped property, to the west through the school’s property to a manhole (MH# 57-066) located on the school property. Based on some preliminary evaluations of the topography and flowlines of the existing manholes, it appears that a sanitary sewer system could be designed, however this would need to be confirmed by a preliminary design of the sewer system by the applicant’s design engineer.

Therefore it is staff’s recommendation that the applicant be required to provide staff with a preliminary design of a sanitary sewer system that would provide service from the southwest corner of the undeveloped property to the north of the proposed development to manhole MH#57-066 located on the school’s property to the west. The applicant shall also be required to obtain the required easement, following approval of the preliminary design, prior to approval of the proposed preliminary development plan. If the applicant does not desire to choose this

alternative, then staff recommends that the applicant be required to meet the initial recommendation of extending the existing sanitary sewer to their north property line.

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.

Public Works

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 and 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. 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 & Construction Manual.
4. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of any infrastructure permit or prior to the approval of the final development plan.
5. 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, unless specific application is made and approved by the City Engineer."
6. 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 & Construction Manual.
7. The final development plan shall provide a design that extends the existing sanitary sewer to the northwest corner of the plat boundary or an approved preliminary design and an executed and recorded easement routing a sanitary sewer from the southwest corner of the undeveloped property (to the north) to a manhole located on the school property.
8. Upon approval of the proposed rezoning by City Council, the applicant will become responsible for providing 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.

Fire

9. 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.

10. 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 accessible hydrants to meet this requirement. Move the hydrant at the west entrance to the east side of the drive lane, between buildings 4 and 5. Contact our office at (816) 969-1303, if you have questions about hydrant placement.
11. 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: Provide a hydrant within 100 feet of all the FDC. Work with the sprinkler contractor to ensure the best location in relation to where the riser comes into the building. Show the location of the FDC on the clubhouse if it is going to be sprinkled.
12. The island of the traffic circle shall be provided with CG-2 curb. Provide a detail for island design.

Planning and Codes Administration

13. Accessible parking signs shall meet the requirements set forth in the **Manual on Uniform Traffic Devices (R7-8)**. Each accessible parking space shall be identified by a sign, mounted on a pole or other structure, located between 36 inches (3 feet) and 60 inches (5 feet) above the ground measured from the bottom of the sign, at the head of the parking space.
14. Sign permits shall be obtained prior to installation of any signs through the Department of Planning and Codes Administration. All proposed signs must comply with the sign requirements of Article 13 of the UDO.
15. A final plat shall be approved and recorded prior to any building permit being issued.

RGM/cs

Attachments:

1. Transportation Impact Analysis prepared by Michael Park, dated September 22, 2016 – 2 pages
2. Kenbridge Crossing Traffic Impact Study, date stamped August 5, 2016 – 17 pages
3. Development Narrative, date stamped September 21, 2016 – 1 page
4. Preliminary Development Plan and Rezoning – 11 pages
 - Preliminary Development Plan (Sheet C.100), date stamped September 20, 2016
 - M-150 Corridor Overlay (Sheet C.101), date stamped September 6, 2016
 - Rezoning Plan (Sheet C.102), date stamped September 6, 2016
 - Grading Plan (Sheet C.200), date stamped September 16, 2016
 - Utility Plan (Sheet C.300), date stamped September 16, 2016
 - Photometric Site Plan and Spec Sheets (Sheets E0.01 and E0.02), date stamped September 6, 2016 — 2 pages
 - Landscape Plan (Sheets L1.00, L2.00, and L3.00), date stamped September 6, 2016 – 3 pages
 - Preliminary Architectural Site Plan (Sheet SP1.00), date stamped September 6, 2016
 - Elevations, date stamped August 5, 2016 – 5 pages

5. Location Map