



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2021-252
File Name	REZONING from CP-2 to RLL
Applicant	J.P. Roberts
Property Address	4871 SW Raintree Parkway
Planning Commission Date Heard by	September 23, 2021 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager Kent D. Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: June 6, 2021
Neighborhood meeting conducted: August 26, 2021
Newspaper notification published on: September 4, 2021
Radius notices mailed to properties within 300 feet on: August 16, 2021
Site posted notice on: September 1, 2021

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Attachments

Rezoning Exhibit – 1 page
RLPOA Letter of Support
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	J. P. Roberts / Developer
Applicant's Representative	J. P. Roberts
Location of Property	4871 SW Raintree Parkway
Size of Property	± 16.25 acres
Current Zoning	CP-2 (Planned Community Commercial District)
Proposed Zoning	RLL (Residential Large Lot)
Comprehensive Plan Designation	Residential, Category 1
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed rezoning request. The City Council takes final action on the rezoning request in the form of an ordinance.</p> <p>Duration of Validity: Rezoning approval by the City Council shall be valid upon approval and has no duration period associated. A preliminary development plan is not required when rezoning to the RLL zoning district.</p>

Current Land Use
The subject 16.25-acre is a vacant, unplatted property adjacent to the Raintree Lake spillway.

Description of Applicant's Request
The applicant seeks approval of a rezoning from CP-2 (Planned Community Commercial District) to RLL (Residential Large Lot) of the 16.25-acre parcel located at 4871 SW Raintree Parkway to allow for the construction of a new single-family home.

2. Land Use

Description and Character of Surrounding Area
The subject property lies along the east side of SW Raintree Pkwy immediately south of the Raintree Lake spillway. The general character of the surrounding area at large (i.e. the Raintree Lake subdivision and the community of Lake Winnebago) is single-family residential development. The subject property also abuts large-acreage, undeveloped property to the south that is located outside of the city limits.

Adjacent Land Uses and Zoning

North:	Large acreage single-family home/R-1; and Raintree Lake spillway/CP-2
South:	Vacant/AG (outside of city limits)
East:	MO-291 Highway (outside of city limits)
West (across SW Raintree)	Raintree Lake/R-1

Pkwy):

Site Characteristics

The site is a 16.25-acre parcel that generally slopes from west to the east. The Raintree Lake spillway is located along the north property line.

Special Considerations

Northern and western portions of the property are within the 100-year floodplain fringe areas.



There is no public City sanitary sewer serving this property. Some form of a private sanitary sewer system will need to be provided. An on-site septic system could be utilized if the property is platted as a single lot. This system would be permitted through the County. If multiple lots are ever established, a low-pressure sanitary sewer system would need to be designed and approved by the City.

There are questions concerning the water district jurisdiction serving this area, therefore a hold harmless agreement will need to be executed to connect to City water. The agreement shall disclose that the applicant is aware of this situation, and will hold the City of Lee's Summit harmless in any future action taken by the Cass County Special Water District in regard to this matter.

3. Project Proposal

Setbacks (Perimeter)

Yard	Building/Required
Front	30' Building

Side	10' (Building)
Rear	30' (Building)

4. Unified Development Ordinance (UDO)

Unified Development Ordinance

Section	Description
2.240,2.250,2.60,2.300	Rezoning with no preliminary development plan
4.080	Zoning Districts

The RLL Residential Large Lot District is established to provide for the maintenance of existing large lot residential subdivisions and for the creation of new large lot single-family detached residential subdivision developments on one-half (1/2) acre minimum lot sizes.

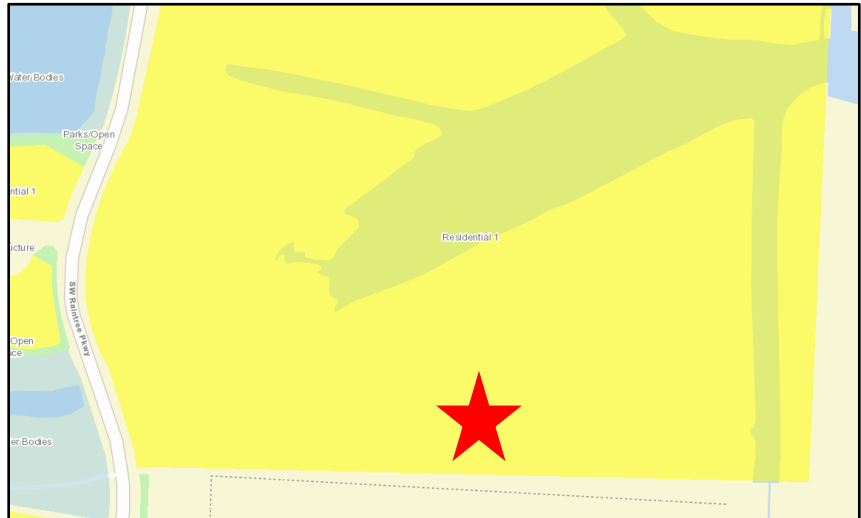
The RLL residential density supports the Lee's Summit Comprehensive Plan by providing multiple housing types and varied lot sizes. RLL subdivisions of less than three-acre minimum lot sizes are required to be serviced by a publicly-provided sanitary sewer system. Three acres and larger sized lots may utilize septic systems, provided they receive the necessary approvals from the County.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Strong Neighborhoods & Housing Choice	Goal 3.2.A Goal 3.2.B
Sustainable Environment	Goal 3.6.A
Land Use & Community Design	Goal 3.7.A

Comprehensive Plan

The proposed rezoning to the RLL zoning district is consistent with the low-density residential land use recommended by the 2021 Ignite Comprehensive Plan for the area. The proposed RLL zoning district meets the objectives of the comprehensive plan as it is compatible with the surrounding character of the neighborhood.



6. Analysis

Background

- April 6, 1976 – The subject property was annexed into the city. The property was zoned C-2 in Cass County prior to annexation, which became C-1 (General Business District) upon annexation.
- November 1, 2001 – The property’s zoning was reclassified from C-1 to its current CP-2 zoning upon the Unified Development Ordinance (UDO) going into effect.

Compatibility

The 16.25-acre property is located along SW Raintree Parkway adjacent to existing single-family homes in the area. A large lot single-family home is located north of the subject property, just across the Raintree Lake spillway. A home will be constructed on the subject site, thus compatible with surrounding residential uses.

Adverse Impacts

The proposed rezoning will not detrimentally affect the surrounding area. The RLL zoning district will allow a single-family home to be constructed, which is similar to the existing character of the immediate area and the large single-family home at 4801 SW Raintree Parkway.

Public Services

There is no public City sanitary sewer serving this property. Some form of a private sanitary sewer system will need to be provided. An on-site septic system could be utilized if the property is platted as a single lot. This system would be permitted through the County. If multiple lots are ever established, a low-pressure sanitary sewer system would need to be designed and approved by the City.

Public water service is available on the east side of SW Raintree Parkway. There are questions concerning the water district jurisdiction serving this area, therefore a hold harmless agreement will need to be executed to connect to City water. The agreement shall disclose that the applicant is aware of this situation, and will hold the City of Lee's Summit harmless in any future action taken by the Cass County Special Water District in regard to this matter.

Recommendation

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

7. Recommended Conditions of Approval

Site Specific Conditions of Approval

1. A hold harmless agreement shall be executed prior to connecting to City water.
2. An appropriate on-site private sanitary sewer system shall be permitted through the County prior to approval of a building permit. A copy of the permit shall be provided to the City at the time of a building permit application. Alternatively, a private low-pressure system may be designed and constructed to serve the lot.

Standard Conditions of Approval

3. A minor plat shall be required to be approved and recorded prior to the issuance of a building permit.