



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2022-074 – REZONING from AG to RP-4 and PRELIMINARY DEVELOPMENT PLAN – Tristar at Lee's Summit
Applicant	Engineering Solutions, LLC
Property Address	Approximately 54 acres located on the east side of Old 291 Hwy approximately 1/2 mile north of M-150 Hwy
Planning Commission Date Heard by	April 28, 2022 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Senior Planner Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: September 28, 2021
Neighborhood meeting conducted: April 21, 2022
Newspaper notification published on: April 9, 2022
Radius notices mailed to properties within 300 feet on: April 12, 2022
Site posted notice on: April 7, 2022

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Attachments

Transportation Impact Analysis, prepared by Brad Cooley, dated April 19, 2022 – 3 pages
Traffic Impact Study, prepared by Kimley Horn, dated February 21, 2022 – 17 pages

Wetland Study, prepared by Terracon, dated January 21, 2022 – 13 pages

Sanitary Sewer Analysis, prepared by Engineering Solutions, LLC, dated February 25, 2022 – 2 pages

Macro Storm Water Drainage Study, prepared by Engineering Solutions, LLC, revised March 29, 2022 – 12 pages

Preliminary Development Plan, revised March 28, 2022 – 15 pages

Preliminary Plat, dated March 22, 2022 – 2 pages

Rezoning Exhibit, dated March 22, 2022 – 1 page

Elevations dated February 24, 2022 and photos time stamped March 30, 2022 – 12 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions, LLC
Applicant's Representative	Matt Schlicht, P.E.
Property Owner	291 Investors LLC
Location of Property	Located on the east side of Old 291 Hwy approximately 1/2 mile north of M-150 Hwy
Size of Property	±54.26 Acres (2,363,561.42 sq. ft.)
Number of Lots	4 Residential lots 5 Common area tracts
Number of Dwelling Units	156 townhome dwellings units (20 townhome buildings) <u>112 four-plex dwellings units (28 four-plex buildings)</u> 268 total dwelling units
Density (with common area)	4.94 units/acre (12 units/acre max. allowed in RP-4 district)
Density (without common area)	5.92 units/acre (12 units/acre max. allowed in RP-4 district)
Existing Zoning	AG (Agricultural)
Proposed Zoning	RP-4 (Planned Apartment Residential District)
Comprehensive Plan Designation	Residential 1
Procedure	<p>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 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 expiration.</p> <p>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.</p>

Current Land Use

The subject property is two, undeveloped parcels approximately 54 acres in total size.

Description of Applicant’s Request

The applicant proposes to rezone the subject property from AG to RP-4 to allow a proposed residential development consisting of 20 townhome buildings (156 dwelling units) and 28 four-plexes (112 dwelling units) totaling 268 dwelling units on 54.26 acres. The development includes various amenities in the form of pickleball courts, walking trails, gazebo area, dog park and a swimming pool with clubhouse.

2. Land Use

Description and Character of Surrounding Area



The subject site is bordered by MO 291 Highway to the west. Shamrock Hills golf course is adjacent to the northern property line. Just east of the site is a wooded undeveloped property. Additionally, the eastern property line is the corporate limits of Lee’s Summit. The west half of the adjacent southern property is composed of two large tracts of vacant, undeveloped farm land. The east half of the adjacent southern property is currently vacant but will be the future location of Cobey Creek 3rd plat.

Adjacent Land Uses and Zoning

North:	AG (Agricultural) – Shamrock Hills golf course
South:	AG (Agricultural) – vacant ground PMIX – Cobey Creek 3 rd Plat (future single-family residential phase)
West:	MO 291 Highway
East (outside of city limit in Greenwood, MO):	AG (Agricultural District) – vacant ground

Site Characteristics

The subject site is a large flag lot with significant topographical variations across its entirety. A heavily-treed stream bisects the property running from the southwest to the northeast. Mature tree lines run the length of all but a small portion of the property lines. Historically, the property has been used for farming and displays the typical features of such use.



Special Considerations

The subject site is located within the boundaries of the M-150 Corridor Development Overlay (CDO) District. The development standards of the CDO are applicable to multi-family and non-residential construction, reconstruction, alteration, or expansion. For the purpose of the CDO, multi-family shall include triplex, fourplex, townhome, apartment structures.

3. Project Proposal

Site Design

Land Use	
Impervious Coverage:	31.4%
Pervious:	68.6%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces proposed:	1,081 ¹	Total parking spaces required:	542 ²
Parking Reduction requested?	No	Off-site Parking requested?	No

¹ Proposed parking calculation:

- 2 enclosed parking space + 2 driveway space per dwelling unit = 1,072; and
- Subdivision swimming pool = 9

² Required parking calculation:

- 1 enclosed parking space + 1 driveway space per dwelling unit = 536; and
- 1 parking space per 16 lots for subdivision swimming pool (minimum 6) = 6

Setbacks (Perimeter)

Yard	Building Required	Building Proposed
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Front	20' (Building)	25' (Building and garage)
Side	10-feet from lot line and 20-foot separation between buildings	10-feet from lot line and 20-foot separation between buildings
Rear	20'	20'

Structure(s) Design

Number and Proposed Use of Buildings
20 townhomes 28 fourplexes 1 clubhouse 49 total buildings
Building Height
23' 3" measured to roof peak (50' max. allowed in RP-4 district)
Number of Stories
1 story

Amenities

Amenities include pickleball courts, gazebo area, walking paths and a swimming pool with a clubhouse.

4. Unified Development Ordinance (UDO)

Section	Description
2.240,2.250,2.260	Rezoning
2.040,2.260,2.300,2.310,2.320	Preliminary Development Plans
4.130	Zoning Districts
5.510	M-150 CDO Design Standards
8.030,8.050	Planned Residential District Design Standards

Unified Development Ordinance (UDO)

The RP-4 district is established to provide opportunities for medium/high-density residential development at a maximum density of 12 units per gross acre. The RP-4 district provides for a mix of multi-family attached dwelling units and/or apartments. While the RP-4 zoning district does allow for apartments, none are proposed and all development is tied to the approved PDP. Substantial deviation from the approved plan would require approval of a new PDP.

	RP-4 Zoning District Standards	Proposed Development
Allowed Residential Types	Single-family; Duplex; Tri-plex; Fourplex and; Apartments	Townhomes; and Fourplexes
Density	12 units/acre max.	4.95 units/acre
Minimum Lot Size	3,500 sq. ft. – per dwelling unit	8,819 sq. ft. – per dwelling unit
Building Height	50' max.	23' 3" (measured to roof peak)

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Strong Neighborhoods & Housing Choice	<p>Goal 3.2.A: Maintain thriving, quality neighborhoods that connect a diversity of residents throughout the community.</p> <p>Objective: Increase the mix of affordable housing.</p> <p>Objective: Change overall housing mix to 65% Residential Category 1; 20% Residential Category 2; and 15% Residential Category 3.</p>
Land Use & Community Design	<p>Goal: Promote sustainable land use to meet the needs of the future.</p> <p>Objective: Plan for purposeful growth, revitalization and redevelopment.</p>

Comprehensive Plan

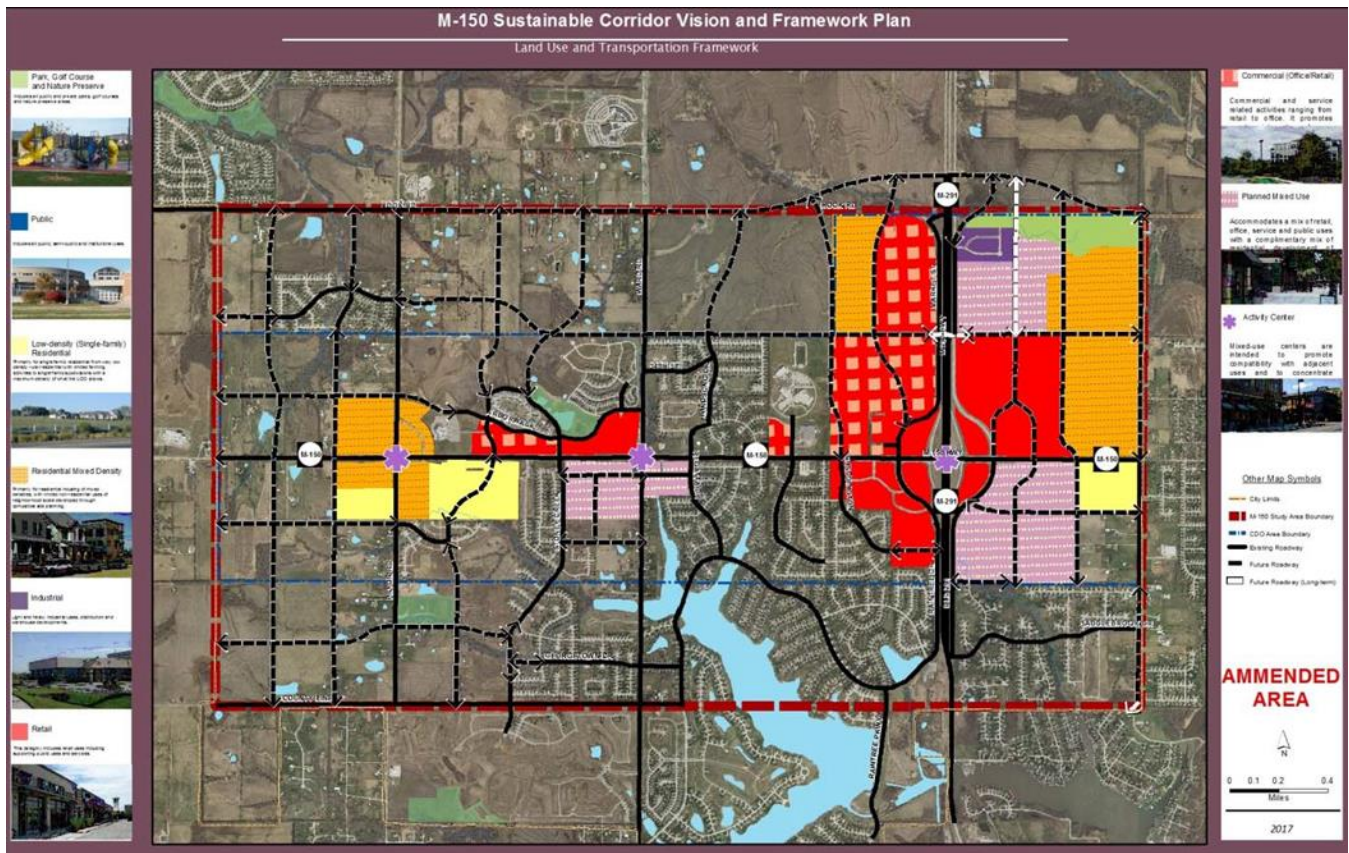
The 2021 Ignite Comprehensive Plan land use map identifies the subject site as Residential Category 1. The subject plan is inconsistent with Comprehensive Plan as the proposed land use would be classified as Residential Category 2. The proposed land use is not out of character for the surrounding area. A portion of the abutting vacant property to the south is currently designated as Residential Category 2, as is the southern section of the adjacent Cobey Creek residential subdivision.

While the proposed plan is inconsistent with the land use recommended by the Comprehensive Plan, it is consistent with the recommended land use as outlined in M-150 Corridor Development Overlay (CDO) District. The land use map in the M-150 Sustainable Corridor Vision and Framework Plan identifies this area as Residential Mixed Density.

The proposed plan is consistent with the Ignite Comprehensive Plan’s established goals of creating and maintaining a variety of housing options, styles and price ranges. A policy recommendation of the adopted plan recommends allowing developments that increase density and the availability of housing options. The proposed development is in harmony with these goals.

M-150 CDO design standards

The subject property is located within the boundaries of the M-150 Corridor Development Overlay (CDO) District. The purpose of the CDO is to facilitate the development of property in the M-150 corridor with the highest possible levels of community and building design. As such, the CDO establishes minimum design requirements that are not found elsewhere in the UDO. These minimum design standards apply to all newly constructed triplexes, fourplexes, townhomes, apartments and commercial building.



The applicant has met the site layout and building orientation requirements by orienting the proposed townhomes to courtyards and common open spaces. These open spaces will have walking paths lined with trees and shrubs. The applicant has further met the CDO building design standards by providing a change in texture, material, offset, and other architectural features to differentiate individual units.

6. Analysis

Background and History

- August 28, 1972 – The subject property was annexed into the City of Lee’s Summit by Ordinance No. 1389.

Compatibility

The proposed residential use of the fourplex homes and townhomes are compatible uses for the area and are similar to the residential (single family & duplex) uses on the adjacent Cobey Creek subdivision. The proposed building materials are similar and compatible with existing residential subdivisions in the area and throughout the City and include stone veneer, LP Smart lap/panel siding, vinyl siding and composite shingle roofs.

Adverse Impacts

The proposed development is not expected to negatively impact the use or aesthetics of any neighboring property, nor does it negatively impact the health, safety and welfare of the public. The use is consistent with the existing residential nature of the existing subdivision in the area. The proposed project develops a long-vacant property. Three private stormwater detention basins will be constructed as part of the proposed development in order to mitigate the increase in stormwater runoff.

The applicant has performed a Preliminary Water of the U.S. Assessment (wetland analysis) and submitted an associated report completed by Terracon. It has been recommended that the assessment be submitted to the U.S. Army Corps of Engineers (USACE) for their determination of jurisdictional waterways of the US on the site. The USACE will make the final determination on the jurisdictional status of the wetlands or other waterbodies and whether or not a Section 404 Permit is required.

Public Services

The proposed preliminary development plan will not impede the normal and orderly development and improvement of the surrounding property. The necessary road network, water, sanitary sewer and storm sewer improvements will be extended to serve the proposed development. The applicant did perform a sanitary sewer analysis that indicates there is adequate capacity in the City's receiving sanitary sewer system for the ultimate buildout of the proposed development.

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

1. Development shall be in accordance with the preliminary development plan, revised March 28, 2022; Quad (fourplex) photos, time stamped March 30, 2022; and Clubhouse photos, time stamped March 30, 2022.
2. Development shall be in accordance with the Transportation Impact Analysis, prepared by Brad Cooley, dated April 19, 2022.
3. A comprehensive plan amendment shall be submitted and approved prior to the approval of a final plat.

Standard Conditions of Approval

4. 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.
5. 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 site development permits or the start of construction (excluding land disturbance permit).

6. 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.
7. A Land Disturbance Permit shall be obtained from the City if groundbreaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
8. Certain aspects of the development plan will be further reviewed during the Final Development Plan phase of the project. This includes detailed aspects of the design to help ensure that the plan meets the design criteria and specifications contained in the Design and Construction Manual.
9. There are no public easements shown on the preliminary plat that is included as part of the preliminary development plan application. Public easements are required for all public utilities outside of the public right-of-way and shall be shown on the final plat.
10. Grading within a stream buffer shall be limited to that which is required for the construction of various aspects of the project, primarily including the public road infrastructure and the detention basin discharge locations. Proposed contours need to tie back to existing contours. Grading will be reviewed in greater detail with the Final Development Plan.
11. Stream buffer widths, from the ordinary high-water marks, shall be clearly shown on the Final Development Plan.
12. The Macro Storm Drainage study provided with the Preliminary Development Plan is adequate. A more detailed Micro Storm Drainage study will be required to be submitted as part of the Final Development Plan application and shall include:
 - A. Detention basin discharges
 - B. Stream buffer clarification with respect to ordinary high-water mark
 - C. Major stream crossings and flow information
 - D. Attaining allowable release rates. Any design waivers will need to be approved by the City Engineer.
13. An executed Section 404 Permit shall be provided to the City prior approval of any development plans, if required by the USACE.
14. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Parking will only be allowed on one side of the street.
15. Developments where the number of dwelling units exceeds 50 shall be provided with two separate and approved fire apparatus access roads. Except where;
 - A. Where there are more than 50 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system

in accordance with Section 903.3.1.1, 903.3.1.2 o903.3.1.3, access from two directions shall not be required.

- B. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

16. 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.
17. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
18. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.
19. A final plat shall be approved and recorded prior to any building permits being issued.