



**LEE'S SUMMIT**  
MISSOURI  
Development Services Department

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## Development Services Staff Report

<b>File Number</b>	PL2019-352
<b>File Name</b>	REZONING from R-1 to RP-3 and PRELIMINARY DEVELOPMENT PLAN – The Estates of Chapel Ridge, Lots 23-31 and The Townhomes of Chapel Ridge, Lots 9-30 & Tracts A-F
<b>Applicant</b>	Engineering Solutions, LLC
<b>Property Address</b>	4060 NE Ralph Powell Road
<b>Planning Commission Date</b>	December 12, 2019
<b>Heard by</b>	Planning Commission
<b>Analyst</b>	Victoria Nelson
<b>Checked By</b>	Hector Soto, Jr., AICP, Planning Manager and Kent Monter, PE, Development Engineering Manager

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### Public Notification

Pre-application held: September 24, 2019  
Neighborhood meeting conducted: November 7, 2019  
Newspaper notification published on: November 23, 2019  
Radius notices mailed to properties within 300 feet on: November 19, 2019  
Site posted notice on: November 19, 2019

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### Attachments

Overall Site Plan, date stamped November 12, 2019  
Development Site Plan, date stamped November 12, 2019

Grading Plan, date stamped November 12, 2019

Utility Plan, date stamped November 12, 2019

Townhome Elevations, date stamped October 11, 2019

Macro Storm Water Drainage Study, date stamped November 12, 2019 - 7 pages

Location Map

## 1. Project Data and Facts

<b>Project Data</b>	
<b>Applicant/Status</b>	Engineering Solutions, LLC/Engineer
<b>Applicant's Representative</b>	Matt Schlicht/Engineer
<b>Location of Property</b>	4060 NE Ralph Powell Rd
<b>Size of Property</b>	±19.0 Acres
<b>Zoning</b>	R-1 and RP-3
<b>Number of Lots</b>	31 Lots (9 estate lots + 22 townhome lots) and 6 common area tracts
<b>Density</b>	2.6 units/acre proposed – estate lots; 4.0 units/acre max allowed in R-1 (Single-family Residential)  4.4 units/acre proposed – townhome lots; 10 units/acre max allowed in RP-3 (Planned Residential Mixed Use)
<b>Comprehensive Plan Designation</b>	Medium/High-density Residential
<b>Procedure</b>	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.
<b>Duration of Validity</b>	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.

<b>Current Land Use</b>
The property was rezoned R-1 and RP-3 in 2005 to serve as the second phases of The Estates of Chapel and The Townhomes of Chapel Ridge. The property has remained vacant since that time.

<b>Description of Applicant's Request</b>

The applicant seeks a rezoning and preliminary development plan approval for the second phases of The Estates of Chapel Ridge and The Townhomes of Chapel Ridge. The plan proposes nine (9) single-family residential estate lots and 22 townhome lots for the respective areas.

## 2. Land Use

Description and Character of Surrounding Area	
	<p>The property is located north of Tiff n Jay's, Commerce Bank, QuikTrip, and Burger King. The surrounding neighborhood is comprised of a mix of single-family and multi-family uses composed of 3-unit and 4-unit townhome buildings.</p>

### Adjacent Land Uses and Zoning

<b>North:</b>	East Lake Village and South Pointe at East Lake Village single-family residential/ R-1 (Single-family Residential)
<b>South:</b>	Commercial/CP-2 (Planned Community Commercial)
<b>East:</b>	I-470
<b>West:</b>	The Estates of Chapel Ridge single-family residential/R-1

Site Characteristics
<p>The site's topographic layout shows that the land generally slopes from east to west. The far eastern portion of the property slopes east toward I-470. Primary access to the site comes from NE Ralph Powell Rd, with secondary access from NE Old M 291 Highway.</p>

## 3. Project Proposal

### Setbacks (Perimeter)

Yard	Building Required	Building Proposed

Front	30' – estate lots; 20' (Building) / 25' (Garage) – townhome lots	30' – estate lots; 25' (Building and Garage) – townhome lots
Side	7.5' – estate lots; 5' – townhome lots	7.5' – estate lots; 5' – townhome lots
Rear	30' – estate lots; 20' – townhome lots	30' – estate lots; 20' – townhome lots

**Structure(s) Design**

<b>Number and Proposed Use of Buildings</b>
31 (9 estate single-family residences + 22 townhomes)
<b>Building Height</b>
40' max – R-1 estate lots; 45' max – RP-3 townhome lots
<b>Number of Stories</b>
3 maximum

**4. Unified Development Ordinance (UDO)**

Section	Description
4.090	Single-Family Residential District
4.120	Planned Residential Mixed Use 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, 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. The proposed use also follows Sec. 4.120 of the UDO, which establishes the “residential mixed use district ... to provide opportunities for medium-density mixed residential use development at a maximum of ten (10) units per gross acre. The RP-3 District provides for a mix of one-, two-, three- and four-family attached and detached dwelling units. While providing for a wide range of dwelling types the RP-3 district may also be appropriate in large scale mixed use developments or as a residential re-use option in obsolete commercial or office centers”.

**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
Community for All Ages	Housing Component Goal

**Comprehensive Plan**

The uses are generally consistent with the recommended land use designation of Medium/High-density 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. It also supports the Community for All Ages Plan Housing Component Goal of encouraging small lot development for smaller homes to add a more diversified housing stock for our residents.

**6. Analysis**

**Background and History**

The proposed preliminary development plan is for the second phases of The Estates of Chapel Ridge and The Townhomes of Chapel Ridge. A preliminary development plan was previously approved in 2005 to go along with a rezoning and preliminary plat for the redevelopment of the 142-acre Chapel Ridge Golf Course site. The original preliminary development plan included 51 single-family estate lots and 15 multi-family townhome lots for the subject property. The first phase of The Estates of Chapel Ridge developed 23 of the 51 single-family estate lots shown on the approved preliminary development plan; the first phase of The Townhomes of Chapel Ridge developed 8 of the 15 multi-family townhome lots shown on the approved preliminary development plan.

This preliminary development plan proposes to reduce the area devoted to single-family estate lots and increase the area devoted to multi-family townhome lots as a response to changing demand in the housing market. The proposed second phase of The Estates of Chapel Ridge consists of 9 lots. Combined with 23 existing lots in the first phase, 32 total single-family estate lots will be developed at full build-out. This is a reduction of 19 single-family estate lots from the original preliminary development plan.

The proposed second phase of The Townhomes of Chapel Ridge consists of 22 lots. Combined with 8 existing lots in the first phase, 30 total multi-family townhome lots will be developed at full build-out. This is an increase of 15 multi-family townhome lots from the original preliminary development plan. A rezoning from R-1 to RP-3 is required to accommodate the expansion of the townhome area.

- December 1, 2005 – The City Council approved the preliminary plat (Appl. #2005-276) for *Chapel Ridge Mixed Use Development, Lots 1-141*
- January 12, 2006 – The City Council approved the rezoning (Appl. #2005-275) from AG to R-1 (Single-family Residential), RP-1 (Planned Single-family Residential), RP-3 (Planned Residential Mixed-Use) and CP-2 and a preliminary development plan (Appl. #2005-277) for the Chapel Ridge Mixed Use Development by Ordinance No. 6106.



- April 20, 2006 – The City Council approved the final plat (Appl. #2006-010) for *The Estates of Chapel Ridge, 1<sup>st</sup> Plat, Lots 1 thru 23* by Ordinance No. 6170. The City Council also approved the final plat (Appl. #2006-011) for *The Townhomes of Chapel Ridge, 1<sup>st</sup> Plat, Lots 1 thru 8* by Ordinance No. 6171.

### **Analysis of Rezoning**

The proposal is to rezone approximately 9 acres from R-1 to RP-3 to accommodate the expansion of the multi-family townhome area. The proposed townhomes are the second and final phase of the existing The Townhomes of Chapel Ridge development.

### **Compatibility**

The proposed subdivision is consistent with the existing and planned surrounding single-family subdivisions and is consistent with the first phases of the existing The Estates of Chapel Ridge and The Townhomes of Chapel Ridge. The proposed architectural style and building materials for the second phases of the Estates of Chapel Ridge and The Townhomes of Chapel Ridge are a continuation of the same style and materials found in the existing first phases. Building materials include tile roofs, stucco and stone on the fronts.



### **Adverse Impacts**

The proposed single-family estate and townhome 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. Both developments complete the second phases of the existing single-family estate and townhome areas.

### **Public Services**

The proposed developments tie into and extend existing water, sanitary sewer, stormwater and street infrastructure.

The proposed development will not impede the normal and orderly development of the surrounding property. The proposed development is the second and last phase of The Villas of Chapel Ridge. This will

eliminate the gap amongst the surrounding properties and create a more unified connection for the neighborhoods.

The proposed second phases will extend existing street stubs and create street connections that create a more fluid flow for the surrounding properties.

### **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. The architectural style and building materials for the townhomes shall be consistent with the building elevations date stamped October 11, 2019.

### **Standard Conditions of Approval**

2. 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.
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).
5. 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 Unified Development Ordinance (UDO). 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 Design and Construction Manual.
6. 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.
7. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the

issuance of an infrastructure permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.

8. 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.
9. 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."
10. 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.
11. All ADA sidewalk ramps shall be constructed by the developer at the time the street is constructed.
12. All sidewalks adjacent to a common area tract, unplatted land or any land where no structure is intended to be built, and is required, shall be constructed by the developer at the time the street is constructed.
13. 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.
14. A final plat shall be approved and recorded prior to any building permits being issued.