



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-067
File Name	REZONING from CP-2 to RP-3 and PRELIMINARY DEVELOPMENT PLAN – Multi-family Lots 1-53 & Tracts A-C
Applicant	Engineering Solutions, LLC
Property Address	3817 & 4001 SE Old M-291 Hwy
Planning Commission Date	November 12, 2020
Heard by	Planning Commission
Analyst	Hector Soto, Jr., AICP, Planning Manager
Checked By	Kent D. Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: December 10, 2019

Neighborhood meeting conducted: The requirement for an applicant to hold in-person neighborhood meetings pursuant to UDO §2.205 has been suspended during the period of the Emergency Declaration which will end on January 31, 2021, unless earlier terminated or further extended by the Mayor. Pursuant to the Mayor's Emergency Order, Applicants are encouraged to use all available alternative methods of communication to inform neighbors of each pending application and solicit neighbors' input and feedback and provide answers to questions about proposed land development.

Newspaper notification published on: October 24, 2020

Radius notices mailed to properties within 300 feet on: October 23, 2020

Site posted notice on: October 23, 2020

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Attachments

Traffic Impact Analysis prepared by Michael Park, dated October 14, 2020 – 2 pages

Traffic Study prepared by TranSystems, dated February 21, 2020 – 9 pages

Stormwater Study prepared by Engineering Solutions, LLC, dated May 18, 2020 – 8 pages

Sanitary Sewer Capacity Study prepared by Engineering Solutions, LLC, dated October 13, 2020 – 8 pages

Preliminary Development Plan (7 pages), dated October 21, 2020, consisting of:

- Overall Site Plan
- Development Site Plan
- Grading Plan
- Public Access Road
- Utility Plan
- Landscape Plan – 2 pages

Development Plan Description prepared by Engineering Solutions, LLC, dated August 26, 2020 – 2 pages

Twin Villa Building Elevations – 3 pages

Pin Wheel (4-unit) Building Elevations – 4 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions, LLC / Applicant
Applicant’s Representative	Matt Schlicht
Location of Property	3817 & 4001 SE M-291 Hwy
Size of Property	± 48.2 acres (2,100,744 sq. ft.)
Dwelling Units	40 (20 twin villas) <u>144 (36 4-plexes)</u> 184 total dwelling units
Density	3.8 units/acre
Existing Zoning	CP-2 (Planned Community Commercial)
Proposed Zoning	RP-3 (Planned Residential Mixed Use)
Comprehensive Plan Designation	Planned Mixed Use
Procedure	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. The Planning Commission makes a recommendation to the City Council on the proposed rezoning and preliminary development

	<p>plan. The City Council takes final action on the rezoning and preliminary development plan.</p> <p>Duration of Validity: Rezoning approval by the City Council shall be valid upon approval and has no duration period associated.</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>
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Current Land Use
The subject project site is composed of two large acreage parcels historically used for agricultural purposes. The north parcel was developed with a single barn. The south parcel was developed with a single-family home and barn.

Description of Applicant’s Request
The applicant proposes to rezone the property from commercial to residential for a 184-dwelling unit development composed of twin and 4-unit villas. The proposed residential development sits on approximately 48 acres generally located at the southwest corner of M-150 Hwy and M-291 Hwy, approximately 1,000 feet south of M-150 Hwy.

2. Land Use

Description and Character of Surrounding Area
The southeast quadrant of the M-150 Hwy/M-291 Hwy intersection is primarily characterized as large acreage parcels historically used for agricultural purposes. Two standalone commercial/industrial buildings exist at the immediate southeast corner of said intersection. The area transitions to single-family residential subdivisions to the south toward Lake Winnebago and to the east toward the city of Greenwood. The subject project site sits at the transition to single-family residential to the south by abutting the Estates of Saddlebrook subdivision.

Adjacent Land Uses and Zoning

North:	Undeveloped large acreage / PI (Planned Industrial) and CP-2
South:	Single-family residential subdivision / R-1
East:	Undeveloped large acreage / R-1 and RP-3 (Planned Residential Mixed Use)
West:	M-291 Hwy

Site Characteristics
The site has varied topography that slopes toward a stream located along the southwest and southeast boundaries of the site. The property is heavily wood along the streamway, extending north along the property’s entire eastern boundary. The northern 9-acre parcel making up the project site has become

increasingly wooded since agricultural use of the property was seemingly abandoned between 2003 and 2005.

Special Considerations

A stream crosses the property along the southwest and southeast corners of the project site. The stream is subject to an associated stream buffer that restricts development within its boundaries. The stream is identified as being within the boundaries of the 100-year floodplain.

3. Project Proposal

Parking

Proposed		Required	
Total parking spaces proposed:	789	Total parking spaces required:	368
Accessible spaces proposed:	0	Accessible spaces required:	N/A
Parking Reduction requested?	No	Off-site Parking requested?	No

Setbacks (Perimeter)

Yard	Building Required	Building / Parking Proposed
Front	20' (Building) / 25' (Garage)	20' (Building) / 25' (Garage)
Side	5' (Twin Villas); 10' (4-plexes) and 20' between buildings	5' (Twin Villas); 10' (4-plexes) and 20' between buildings
Rear	20' (Twin Villas); 30' (4-plexes)	20' (Twin Villas); 30' (4-plexes)

Structure(s) Design

Number and Proposed Use of Buildings
20 twin villas and 36 4-plexes
Building Height
45' maximum allowed per RP-3 zoning
Number of Stories
1 story with basement

4. Unified Development Ordinance (UDO)

Section	Description
2.240,2.250,2.60,2.300	Rezoning with preliminary development plan
2.040,2.260,2.300,2.320	Preliminary Development Plans
4.120	Zoning Districts
8.120,8.170,8.180	Design Standards
8.220,8.230,8.250,8.260,8.290	Lighting Standards
8.530,8.580,8.620	Parking Standards
8.720,8.750,8.790,8.810,8.820	Landscaping

Unified Development Ordinance

The proposed mixed use residential development is an allowed use by right under the RP-3 zoning. The RP-3 district provides for a mix of one-family through four-family attached and detached dwelling units.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.3 Objective 1.4
Residential Development	Objective 3.2 Objective 3.3 Objective 3.4

Comprehensive Plan

The proposed use is generally consistent with the planned mixed use land use recommended by the Comprehensive Plan for the area. The planned mixed use land use designation is intended to accommodate a mix of retail, office, service and public uses with a complementary mix of residential development. While the southeast quadrant of the highway intersection as a whole is suited for a mix of commercial and residential development, the subject project site is not suited for this type of mix at the granular level. The property sits adjacent to the Estates of Saddlebrook subdivision, approximately ¼ mile south of M-150 Hwy. The site’s location relative to single-family residential subdivision and distance from the highway interchange and M-150 Hwy frontage is not conducive to commercial development. However, the proposed project’s mix of twin villas and 4-plexes serves as a reasonable transitional use between the single-family development to the south and potential commercial development further north along M-150 Hwy.



6. Analysis

Background

The applicant seeks approval of a rezoning from CP-2 to RP-3 and a preliminary development plan for a residential mixed use development on approximately 48 acres at the southeast corner of M-150 Hwy and M-291 Hwy. The development consists of 184 total dwelling units spread across 20 twin villas and 36 4-unit villas. Amenities include internal trails, a dog park, gazebos, a 1-acre pond that functions as a wet detention pond and extensive open area along the stream buffer. The proposed exterior building materials consist of masonry, cementitious wall panel and wood siding. The preliminary development also serves as a preliminary plat, as allowed under the UDO.

- May 3, 2007 – The City Council approved a rezoning from AG to CP-2 (Appl. #2007-006) and preliminary development plan (Appl. #2007-007) for the Saddlebrook Commons commercial development by Ordinance No. 6386. No final development plan application was filed within 2 years of the preliminary development plan approval, thus causing the approved plan to become null and void.

Compatibility

The 48-acre property is located south and east of the M-150 Hwy and M-291 Hwy intersection, adjacent to the Estates of Saddlebrook single-family subdivision to the south. To the north and east is large acreage undeveloped property.

The subject property is zoned CP-2. The property to the north is zoned CP-2; the property to the south is zoned R-1; and the property to the east is zoned R-1 and RP-3. The proposed mixed residential development is a use permitted by right under the proposed RP-3 zoning.

Staff does not expect the proposed development to negatively affect the aesthetics of either the subject property or neighboring property. The proposed building materials and architecture are consistent with residential development throughout the community. Proposed building exterior materials include masonry, cementitious siding and wood paneling.

Adverse Impacts

The proposed development will not detrimentally impact the development of the surrounding area. The adjacent residential property to the south is built out. An existing street stub (SE Paddock Dr) in the abutting Estates of Saddlebrook subdivision will be extended through the subject project site and will connect to the Old M-291 Hwy outer road. No connection will be provided between the existing single-family subdivision and the proposed mixed use residential development.

Staff does not expect the proposed development to seriously injure the appropriate use of, or detrimentally affect the neighboring property. No direct connection between the proposed development and the abutting single-family residential subdivision to the south is provided as part of this project. An existing stream separating the abutting developments acts as a natural physical barrier. The stream is further supplemented by both a stream buffer and 100-year floodplain boundary that limits development along the development's south boundary.

Storm water management will take place onsite through the construction of a wet detention (retention) pond that also serves as a development amenity in the form of a 1-acre pond. The pond is designed to discharge into the adjacent stream that forms the site's southern boundary.

A sanitary sewer analysis was prepared by the developer's design engineer and submitted to the City for review. This analysis indicated surcharging in the sewer mains, but did not identify any surcharging out of manholes or backups into residential homes. Design waivers are currently being sought by the applicant in terms of relaxation of the surcharging requirements. If a design waiver is not approved by the City Engineer, downstream upgrades to the sanitary sewers would be likely and would need to be covered under a development agreement.

A traffic impact study, dated February 2020, was prepared by TranSystems, for the proposed development. The traffic study was submitted to the City and MoDOT for review. The location of proposed access along Old 291 Highway is not within the jurisdiction of Lee's Summit's control. MoDOT has reviewed the proposed plan and provide no comments of opposition nor recommended any improvements for adequate infrastructure. The traffic study assessed operational impacts of the proposed development during the a.m. and p.m. peak hour for intersections along Old M291 Highway and at the intersection of Old M291 Highway at M-150 Highway. Existing conditions and developed conditions were shown to exhibit adequate level of service for a.m. and p.m. peak hours. Level of service is an industry accepted measure of traffic operational performance based on delay and range of driver acceptance; represented on a scale of A to F with A the best and F the worst. All studied intersections had a reported level of service B or better.

Public Services

The development incorporates adequate ingress and egress in the form of two street connections along the Old M-291 Hwy frontage road. A residential collector street is stubbed for the future development of the large acreage tracts to the east. Additionally, the existing ¼-mile long SE Paddock Dr dead-end street in the abutting Estates of Saddlebrook subdivision to the south is proposed to be extended and connected to Old M-291 Hwy.

The applicant seeks a waiver for the proposed design of SE Paddock Dr extended from Saddlebrook to Old M-291 Hwy (frontage road), which includes a substandard "knuckle" at the turn and sidewalk omission. Design modifications shall be required if the proposed street extension design is not supported/waived by the City Engineer, or if a change is made to the street design resulting in a standard cul-de-sac at the end of SE Paddock Dr to replace the existing temporary cul-de-sac.

The proposed development will create a surcharge in the City's sewer main downstream of this development, as indicated in the applicant's sanitary sewer analysis. The applicant is seeking a design waiver for a relaxation of the surcharging requirements. City staff is of the opinion that adequate supporting documentation has not been provided to support this design waiver. Without an approved design waiver, downstream sanitary sewer upgrades would be required prior to approval of any project phase. Further evaluation will be required during the final development plan process.

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. The Developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, any required off-site sanitary sewer improvements. No building permits shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Recorders' Office.

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 site development 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 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.
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 groundbreaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the 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. Approval of the SE Paddock Dr street extension shall be conditioned upon support and waivers granted by the City Engineer for the proposed design of the roadway alignment/curve extension from the Estates

of Saddlebrook to Old 291 Hwy (frontage road), inclusive of the substandard "knuckle" at the turn and sidewalk omission. Design modifications shall be required if the design is not supported/waived by the City Engineer, or a change is made to the street design to provide a standard cul-de-sac to replace the existing temporary cul-de-sac.

10. 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 to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code.
11. 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.