

City of Lee's Summit

Development Services Department

June 9, 2017

TO: Planning Commission

FROM: Robert G. McKay, AICP, Director of Planning & Special Projects *RLM FOL RGM*

RE: **PUBLIC HEARING – Appl. #PL2017-095 – PRELIMINARY DEVELOPMENT PLAN – Bloom Living, approximately 2.5 acres located at the southwest corner of SE Shenandoah Dr. and SE Battery Dr.; Complete, LLC, applicant**

Commentary

The applicant proposes construction of a 3-story senior independent living facility comprised of 95 units (64 one bedroom units, 8 two bedroom units, and 23 studio units) on 3.33 acres zoned CP-2. Materials consist of stone, Hardie lap siding, and Hardie panels.

The applicant has requested modifications to the plant size requirements for ornamental and evergreen trees. Staff is supportive of this request. The applicant has also requested modifications to the number of open yard trees provided. Staff is not supportive of this modification.

This application is associated with a special use permit application (Appl. #PL2017-096) also on this agenda.

- 95 units on 3.33 acres
- 0.46 FAR – 0.55 maximum FAR in CP-2 District
- 47.2% impervious coverage – 80% maximum allowable
- 52.8% open space – 20% minimum required
- 93 parking spaces provided (79 surface and 14 carport); 100 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 minimum allowed plant size, Section 14.050 of the UDO, to allow for ornamental trees with a minimum caliper of 2 inches and evergreen trees with a minimum height of 6 feet per the Landscape Plan date stamped May 23, 2017.
2. The proposed driveway onto SE Shenandoah Drive shall be subject to the recommendations of the City Traffic Engineer outlined in the Transportation Impact Analysis (TIA) dated June 8, 2017.

Project Information

Proposed Use: senior apartments

Current Zoning: CP-2 (Planned Community Commercial)

Land Area: 0.91 acres (39,639.6 square feet)—Tract A
2.42 acres (112,675.2 square feet)—proposed apartments
3.33 acres (152,314.8 square feet)—Total

Dwelling Units: 95 units

FAR: 0.46 FAR

Location: South of SE Shenandoah Drive and west of SE Battery Drive

Surrounding zoning and use:

North (across SE Shenandoah Dr.): CP-2 and R-1 (Single-Family Residential)—Vacant undeveloped commercial property and single-family residences (*Ashton at Charleston Park*)

South: CP-2—Assisted living facility (Benton House)

East (across SE Battery Dr.): RP-4 and CP-2—Village Cooperative (senior housing) and vacant undeveloped commercial property

West: CP-2—Lee's Summit Hospital

Background

- October 13, 1987 – The City Council approved the final plat (Appl. #1987-140) *Brookplace—1st Plat, Lots 501, 513-516, 520-534, 1-30, 75-80, & 204* by Ord. #3059. This plat was recorded by Instrument #198711152517 at the Jackson County Recorder's Office on October 21, 1987.
- December 14, 2010 – The City Council approved the preliminary plat (Appl. #2010-062) *Magnolia Place at Charleston Park, Lots 1-9 & Tracts A & B.*
- January 6, 2011 – The City Council approved a preliminary development plan and conceptual development plan (Appl. #2010-060) for Benton House and Magnolia Place, respectively, by Ord. #7019.
- January 20, 2011 – The City Council approved a special use permit (Appl. #2010-061) for a retirement home (assisted living), Benton House, on land located at 2160 SE Blue Pkwy. for a period of forty (40) years by Ord. #7010.
- June 2, 2011 – The City Council approved the final plat (Appl. #PL2011-040) *Magnolia Place at Charleston Park, First Plat* by Ord. #7060. This plat was recorded by Instrument #2011E0064625 at the Jackson County Recorder's Office on July 12, 2011.
- February 19, 2015 – The City Council approved a rezoning from CP-2 to RP-4 on land located at the southeast corner of Battery Drive and Shenandoah Drive and a preliminary development plan (Appl. #PL2014-159) for Village Cooperative by Ord. #7584.

Analysis of Preliminary Development Plan

The applicant proposes to construct a 95 unit, 3-story senior independent living facility (64 one bedroom units, 8 two bedroom units, and 23 studio units). The development of the 95 unit apartment complex will necessitate the property being replatted.

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
Retirement Community	1 Plus 1	Dwelling unit Employee on maximum shift

The applicant proposes an Alternate Parking Plan to provide parking at 0.98 spaces per unit. The apartments are a combination of studio (23), one- (64), and two- (8) bedroom units (95 units total) and it has been indicated that the most employees on any shift would likely not be more than 5. This means that the number of required spaced under the UDO would be 100. Staff supports the alternate parking plan proposal of 93 parking spaces (79 surface and 14 carport). Staff is aware of several other similar developments within the Kansas City metropolitan area, with parking provided at a comparable ratio as that which is proposed.

Plant Size. Modification requested. **Staff supports the requested modification.**

- Required – Section 14.050 of the UDO requires deciduous trees have a minimum caliper of 3 inches, measured at a point 6 inches above the ground or top of the root ball at planting and evergreen trees are required to be a minimum height of 8 feet at planting.
- Proposed – The applicant proposes 2 inch caliper ornamental trees and 6 foot tall evergreen trees.
- Recommendation – Staff supports the requested modification to the minimum planting sizes. The requested modification is consistent with other plant size modifications granted in the past, which are based on improved survivability for smaller plant materials at the time of planting.

Minimum Open Yard, Trees. Modification requested. **Staff does not support the requested modification.**

- Required – Section 14.090.B.3 of the UDO requires trees be provided for the open yard portions of the site at a ratio of 1 tree for every 5,000 square feet of lot area not covered by buildings/structures. This requirement is in addition to those trees required for street frontage. For this site the ratio would yield a total of 17 tree required.
- Proposed – The applicant proposes to provide 8 trees for the open yard requirement, which is 9 trees short of the required minimum.
- Recommendation – Staff does not support the requested modification to the minimum number of trees to be provided for the open yard. While the site is somewhat tight, there are several areas throughout the site where additional trees could be provided. In addition, the applicant has not provided any reasoning for this modification.

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.

Engineering

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/engineering plans.
5. 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.
6. Show the existing sidewalk on SE Battery Drive south of the proposed entrance on the final development plan.
7. Include ADA-accessible ramps at the SE Battery Drive entrance on the final development plan.
8. Private pavement sections shall either follow Article 12 of the UDO or Table LS-2 or LS-3 of the Design & Construction Manual for pavement thickness and base requirements. In lieu of the requirement, the applicant may provide a signed and sealed geotechnical report that proposes an equivalent, alternate pavement section for consideration.

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 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: Relocate the FDC to a more accessible location near a hydrant and fire lane on the front of the building.
11. 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: Move the hydrant near the dumpster closer to the south fire lane where it will not be obstructed by the dumpster enclosure and is more accessible.
12. Confirm that an aerial apparatus is able to enter from SE Battery and turn north (right) into the parking lot along the east elevation.

Planning

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 Development Services Department. All proposed signs must comply with the sign requirements of Article 13 of the UDO.
15. A minor plat shall be approved and recorded prior to any building permit being issued.

RGM/cs

Attachments:

1. Transportation Impact Analysis (TIA), dated June 8, 2017 – 3 pages
2. Development Narrative, date stamped April 21, 2017 – 1 page
3. Preliminary Development Plan – 20 pages
 - Master Development Plan, date stamped May 23, 2017 – 1 page
 - Preliminary Development Plan, date stamped May 23, 2017 – 1 page
 - Grading Plan, date stamped May 23, 2017 – 1 page
 - Utility Plan, date stamped May 23, 2017 – 1 page
 - Landscape Plan, date stamped May 23, 2017 – 1 page
 - Photometric Plan, date stamped May 23, 2017 — 1 page
 - Floor Plans, date stamped April 21, 2017 – 7 pages
 - Elevations, date stamped April 21, 2017 – 4 pages
 - Photos depicting carports, date stamped May 25, 2017 – 2 pages
 - Exterior Details, date stamped April 21, 2017 – 1 page
4. Location Map