



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

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## Development Services Staff Report

<b>File Number</b>	PL2022-088 - REZONING from CP-2 to RP-4 and PRELIMINARY DEVELOPMENT PLAN - Chapel Ridge Apartments – Lot 19
<b>Applicant</b>	Engineering Solutions, LLC
<b>Location</b>	3501 NE Akin Blvd and 3520 NE Ralph Powell Rd
<b>Planning Commission Date Heard by</b>	May 12, 2022 Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Planner
<b>Checked By</b>	Hector Soto, Jr., AICP, Senior Planner Kent Monter, PE, Development Engineering Manager

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### Public Notification

Pre-application held: February 22, 2022  
Neighborhood meeting conducted: April 7, 2022  
Newspaper notification published on: April 23, 2022  
Radius notices mailed to properties within 300 feet on: April 20, 2022  
Site posted notice on: April 22, 2022

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### Attachments

Transportation Impact Analysis prepared by Brad Cooley, dated April 29, 2022 – 2 pages  
Storm Drainage Letter by Engineering Solutions, dated April 12, 2022 – 1 page  
Rezoning Exhibit, dated April 11, 2022 – 1 page  
Preliminary Development Plan, received April 12, 2022 & dated March 11, 2022 – 7 pages  
Elevations, dated November 1, 2021 – 1 page

Modification Request Letter, dated March 11, 2022 – 1 page  
 Location Map

## 1. Project Data and Facts

Project Data	
<b>Applicant/Status</b>	Engineering Solutions, LLC
<b>Applicant's Representative</b>	Matt Schlicht, P.E.
<b>Location of Property</b>	3501 NE Akin Blvd and 3520 NE Ralph Powell Rd
<b>Size of Property</b>	±11.96 Acres (Phase 1, previously approved) ±4.62 Acres (Phase 2) <b>16.58 Acres total</b>
<b>Number of Lots</b>	2 lots (Phase 1, previously approved) 1 lot (Phase 2) <b>3 lots total</b>
<b>Number of Buildings</b>	10 apartment buildings + clubhouse (Phase 1, previously approved) 5 apartment buildings (Phase 2) <b>16 total</b>
<b>Building Size</b>	7,017 sq. ft. (35,085 sq. ft. total)
<b>Dwelling Units</b>	276 units (Phase 1, previously approved) <ul style="list-style-type: none"> <li>• 84 – 1 Bedroom units</li> <li>• 192 – 2 Bedroom units</li> </ul> 120 units (Phase 2) <ul style="list-style-type: none"> <li>• 60 – 1 Bedroom units</li> <li>• 60 – 2 Bedroom units</li> </ul> <b>396 –units total</b>
<b>Density</b>	23.10 units per acre (Phase 1, previously approved) 25.97 units per acre (Phase 2) <b>23.88 units per acre - RP-4 (12 units/acre max)</b>
<b>Current Zoning</b>	CP-2 (Planned Community Commercial District)
<b>Proposed Zoning</b>	RP-4 (Planned Apartment Residential District)
<b>Comprehensive Plan Designation</b>	Office
<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 in the form of an ordinance.  <b><i>Duration of Validity:</i></b> Rezoning approval by the City Council shall be valid upon approval and has no duration period associated.  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.
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<b>Current Land Use</b>
The subject site is approximately 4.62 acres in size and is comprised of two vacant, undeveloped lots.

<b>Description of Applicant’s Request</b>
The applicant proposes to rezone 4.62 acres located at 3501 NE Akin Blvd and 3520 NE Ralph Powell Rd from CP-2 (Planned Community Commercial District) to RP-4 (Planned Apartment Residential District) to construct a 120 dwelling unit multi-family (apartment) development. This application is Phase two of the previously approved Chapel Ridge Apartments (#PL2021-382).  The subject application shall also act as the preliminary plat in accordance with UDO requirements.

## 2. Land Use

<b>Description and Character of Surrounding Area</b>
The subject site is bordered by RP-4 zoned multi-family residential to the west across NE Akin Blvd. The properties to the north and east are zoned CP-2 and have been development as Chapel Ridge Business Park, consisting largely of professional and medical office uses. South of the subject site is the previously approved RP-4 zoned first phase of the Chapel Ridge Apartments.

### Adjacent Land Uses and Zoning

<b>North (across NE Morgan Dr.):</b>	CP-2 (Planned Community Commercial District) – Chapel Ridge Business Park
<b>South (across NE Custer Dr):</b>	RP-4 (Planned Apartment Residential District) – Previously approved first phase of the Chapel Ridge Apartments
<b>East:</b>	CP-2 (Planned Community Commercial District) – Chapel Ridge Business Park
<b>West (across NE Akin Blvd):</b>	RP-4 (Planned Apartment Residential District) – The Fairways at Lakewood

<b>Site Characteristics</b>
The northern half of the overall project site generally slopes from the north to the south. The south half of the property slopes primarily southeast to northwest. The subject site is relatively devoid of trees and is covered with grass. Public infrastructure (roads, storm, water & sewer) currently exist adjacent to and across the property.

<b>Special Considerations</b>
N/A

## 3. Land Use

**Site Design**

Land Use	
Impervious Coverage:	63%
Pervious:	37%
<b>TOTAL</b>	<b>100%</b>

**Parking**

Proposed		Required	
Total parking spaces proposed:	444 (Phase 1) 200 (Phase 2) <b>644 total</b>	Total parking spaces required:	414 (Phase 1) 180 (Phase 2) <b>594 total</b>
Accessible spaces proposed:	11 (Phase 1) 8 (Phase 2)	Accessible spaces required:	9 (Phase 1) 7 (Phase 2)
Parking Reduction requested?	No	Off-site Parking requested?	No

**Setbacks**

Yard	Required	Proposed
Front	20'	22'
Side	10'	20'
Rear	20'	20'

**Structure(s) Design**

<b>Number and Proposed Use of Buildings</b>
5 multi-family buildings
<b>Building Height</b>
47' 8" overall height
<b>Number of Stories</b>
3 stories

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

Section	Description
2.240,2.250,2.60,2.300	Rezoning with Preliminary Development Plan
4.130	Zoning Districts
7.060	Modifications

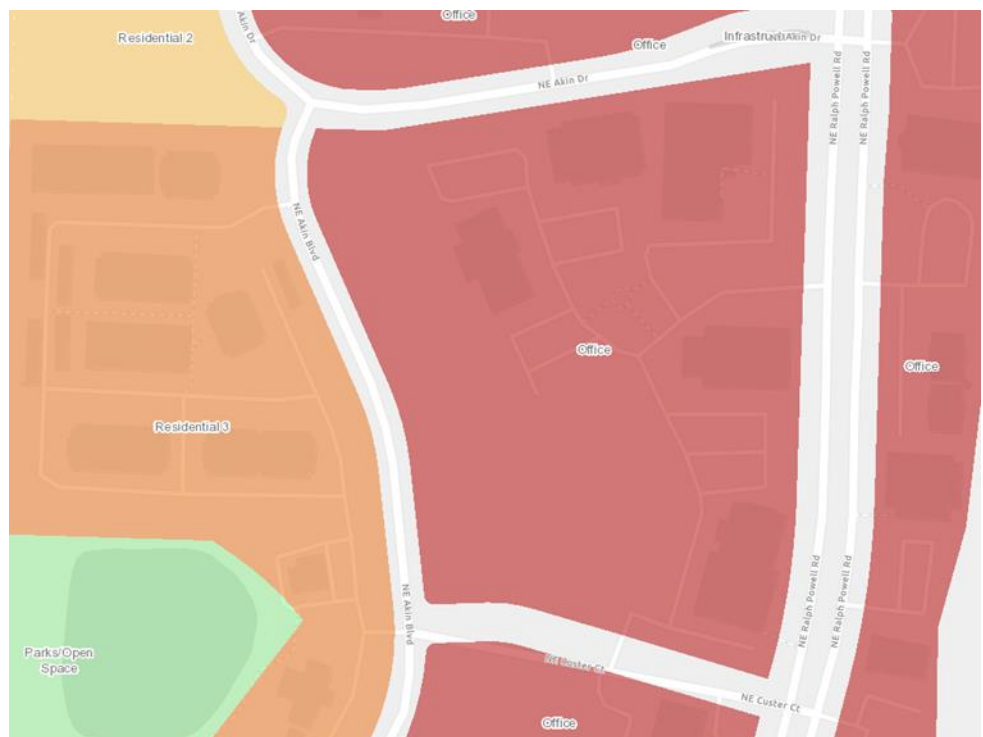
**5. Comprehensive Plan**

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 Office. The applicant has proposed a Comprehensive Plan Amendment (#PL2022-089) on the subject site, also on the same agenda as this application. To accommodate the proposed development, the applicant requests the Planning Commission grant an amendment to the land use map to identify the subject site as Residential Category 3.

Residential Category 3 is established to accommodate multi-family residential housing ranging from mid-rise mixed use to apartment. The Location / Compatibility section of the Future Land Use Category table recommends that the physical layout of a development in this category should aim to ‘node’ or ‘center’ the development around an intersection of an arterial or collector street. By positioning the proposed development adjacent to an existing multi-family development and along NE Akin Boulevard, the applicant meets the intent of this objective.



The Ignite Comprehensive Plan further establishes the goal 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 this goal.

For the reasoning stated above, should the requested amendment be granted, staff finds the proposed plan would be substantially consistent with the adopted plan and achieve the specified goals and objectives of the Ignite Comprehensive Plan.

## 6. Analysis

### Background and History

- May 4, 2006 – City Council approved a change in zoning classification from AG and CP-2 to CP-2 and RP-4 on land located south of Woods Chapel Road and approved a preliminary development plan for Chapel Ridge West (Appl. #2006-022 & Appl. #2006-023), by Ordinance No. 6181.
- April 8, 2004 – The City Council approved the final plat entitled *Chapel Ridge Business Park, Lots 1-D Thru 1-H* (Appl. #2004-011) by Ordinance No. 5724.
- November 9, 2006 – The City Council approved the final plat entitled *Chapel Ridge Business Park, Lots 19-22 and Tracts L & M* (Appl. #2006-179) by Ordinance No. 6295.
- May 20, 2021 – The Planning Commission adopted the 2021 Lee’s Summit Ignite Comprehensive Plan (Appl. #PL2021-001) by Resolution No. 2021-01.

### Analysis of Rezoning

The properties on the north and east are zoned CP-2 and are comprised largely of professional and medical office uses. South of the subject site is the previously approved RP-4 zoned first phase of the Chapel Ridge Apartments. To the west of the subject properties is the existing 272-unit Fairways at Lakewood multi-family development. The proposed multi-family development is markedly similar in density (25.77 units/acre vs 21.1 units/acre) to the Fairways at Lakewood.

The Comprehensive Plan seeks to achieve a high-quality living environment and diversified housing market by providing for diverse housing types in an effort to meet the changing housing needs of the community. The Comprehensive Plan also encourages developments that integrate diverse housing types and styles. By effectively integrating multi-family residential development into the fabric of land uses, the plan seeks to minimize the negative impact of multi-family development.

By locating the proposed project adjacent to the existing Fairways Apartment Homes, the development acts as an additional buffer and transition into the single-family neighborhood further to the west and minimizes the



impact on single-family homes while meeting the goal of increasing the availability of housing types in the City.

**Compatibility**

The proposed multi-family development is a compatible use for the area and is similar to the uses on adjacent properties. Additionally, the location of the development provides for a further buffer between I-470 and the existing commercially zoned property on the east and the existing single-family homes in the Chapel Oaks residential subdivision further to the west.

The proposed building materials are similar and compatible with existing apartment developments in the area and throughout the City, and include board & batten siding, lap siding, wood look panels, brick/stone veneer, vertical metal siding and cementitious stucco. The roofing will be a mix of asphalt shingles and metal roof materials.



**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 multi-family nature of the development west of the subject property.

**Public Services**

The proposed preliminary development plan will not impede the normal and orderly development and improvement of the surrounding property. The subject site is a part of the previously approved Chapel Ridge Business Park development. As the proposed impervious area is in line with the previously approved development, stormwater management will be provided by the existing regional detention basin.

**Unified Development Ordinance**

The requested RP-4 Planned Apartment Residential 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. The applicant has proposed a density of 23.88 units per acre.

**Modifications**

**Density and Minimum Lot Size.** Modifications requested. **Staff supports the requested modifications.**

- **Required** – 12 dwelling units per acre maximum in the RP-4 district; and minimum 3,500 sq. ft. lot size per dwelling unit
- **Proposed** – 23.88 dwelling units per acre; and 1,824.4 sq. ft. lot size per dwelling unit

- **Recommendation** – In keeping with similar multi-family communities within Lee’s Summit, the applicant has requested the following modifications to the overall density and minimum lot size of the proposed development. The requested density for the apartment development is fairly common among other approved apartment complexes, most comparable to the Fairways at Lakewood, New Longview Apartments, The Residences at Echelon and Aria. The table below compares the proposed density with that of other similar developments.

1. Modification of UDO Sec. 6.030, Table 6-2, Density, to allow 23.88 units to the acre for the RP-4 district instead of 12 units per acre.
2. Modification of UDO Sec. 6.030, Table 6-2, Minimum Lot Size, to allow 1,824.4 sf. per unit for the RP-4 district instead of 3,500 sf. per unit.

Project Name	Total Number of Units	Lot Acreage	Density
Village at View High Apartments	312	21.3	14.6 units/acre
Residences at New Longview	309	15.5	19.9 units/acre
New Longview Apts. (AMLI)	206	8.1	25.4 units/acre
The Fairways at Lakewood	272	13.0	21.1 units/acre
The Residences at Echelon	243	11.5	21.8 units/acre
Streets of West Pryor Apartments	250	6.9	36.2 units/acre
Streets of West Pryor Senior Living	165	6.8	24.2 units/acre
Aria	480	61.9	21.3 units/acre
Stag’s Field	372	34.8	13.7 units/acre
Chapel Ridge Apartments (phase 1)	276	11.96	23.1 units/acre

**High-impact Landscape Buffer.** Modification requested. **Staff supports the requested modification.**

- **Required** – A six-foot high masonry wall or opaque vinyl fence and low impact screening shall be planted on both sides of the wall or the fence.
- **Proposed** – The applicant has requested approval of a landscaping plan that provides a natural screen buffer in lieu of the required 6’ fence along the property line.
- **Recommendation** – The adjoining properties are low-intensity office uses with single-story structures. Given the height differences between the adjacent uses, the installation of the required 6’ fence will be ineffective. Additionally, the narrow nature of the subject site and the location of proposed retaining walls will further complicate the installation of the required buffer. The applicant has proposed a landscape plan designed to include shrubs, ornamental and evergreen trees. Clustering of the landscaping material will be utilized to screen the proposed development from visible sections of the existing buildings. A similar modification was approved for the first phase of Chapel Ridge Apartments under the same rationale. For these reasons staff supports the proposed modification.



**Recommendation**

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

**7. Recommended Conditions of Approval**

**Site Specific**

1. A modification of UDO Sec. 6.030, Table 6-2, Density, shall be granted to allow 23.88 units per acre for the RP-4 district instead of 12 units to the acre.
2. A modification of UDO Sec. 6.030, Table 6-2, Minimum Lot Size, shall be granted to allow a minimum lot size of 1,824.4 sf. per unit for the RP-4 district instead of 3,500 sf. per unit.
3. A modification of UDO Sec. 8.750 shall be granted to remove the required 6' high masonry wall or opaque vinyl fence from the high impact landscape buffer, with the landscape buffers to be installed in accordance with the submitted landscape plans dated April 12, 2022.
4. Development shall be in accordance with the preliminary development plan dated April 12, 2022 and elevations dated November 1, 2021.

**Standard Conditions of Approval**

5. All ADA ramps and sidewalks shall be constructed by the developer and shall meet the requirements of the UDO and DCM.
6. 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.
7. 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).
8. 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.
9. 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.
10. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
11. 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.
12. 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.

13. 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.
14. IFC 507.1 - 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.
15. IFC 503.3 - 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.
16. IFC 503.2.3 - Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.
17. Provided parking stalls shall comply with all ADA requirements.
18. A final plat shall be approved and recorded prior to any building permits being issued.