



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2023-120
File Name	REZONING & PRELIMINARY DEVELOPMENT PLAN – Clover Communities Lee's Summit
Applicant	Clover Communities Lee's Summit, LLC
Location	830, 840 & 900 NE Douglas St.
Planning Commission Date	October 12, 2023
Heard by	Planning Commission and City Council
Analyst	C. Shannon McGuire, Senior Planner

Public Notification

Pre-application held: March 7, 2023

Neighborhood meeting conducted: August 2, 2023

Newspaper notification published on: September 23, 2023

Radius notices mailed to properties within 300 feet on: September 20, 2023

Site notice posted on: September 22, 2023

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Attachments

Transportation Impact Analysis by Erin Ralovo, PE, dated October 5, 2023 – 2 pages

Preliminary Stormwater Management Plan, dated July 11, 2023, revised August 14, 2023 – 192 pages

Preliminary Development Plan, dated August 28, 2023 – 19 pages

Elevations, dated August 15, 2023 – 3 pages

Revised Landscaping Plan, dated September 11, 2023 – 1 page

Parking Utilization Survey, submitted September 12, 2023 – 1 page

Siding Specification Sheets and Brochure, submitted August 28, 2023 – 23 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Clover Communities Lee's Summit, LLC/Developer
Applicant's Representative	Ben Syput
Location of Property	830, 840 & 900 NE Douglas St.
Size of Property	7.04 acres (306,725.9 sq. ft.) total
Number of Lots	1 Lot
Building Area	142,300 sq. ft.
Building Height	48' 6"
Number of Buildings	1 – apartment building 4 – garages 5 total buildings
Number of Units	6 – One (1) bedroom units 122 – two (2) bedroom units 128 total Units
Density	19.6 units per acre
Parking Spaces – Required	155
Parking Spaces – Proposed	155
Zoning (existing)	PO (Planned Office)
Zoning (proposed)	RP-3 (Planned Residential Mixed-Use District)
Comprehensive Plan Designation	Residential 3
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 preliminary development plan in the form of an ordinance.</p> <p>Duration of Validity: 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 7.04-acre property is currently made up of three (3) undeveloped vacant properties located at 830, 840 & 900 NE Douglas St.

Description of Applicant's Request
The applicant seeks a rezoning from PO to RP-4 and approval of a preliminary development plan (PDP) to construct a 142,300 sq. ft., 128-unit multifamily apartment building for a Senior Independent Living Community on the subject property.

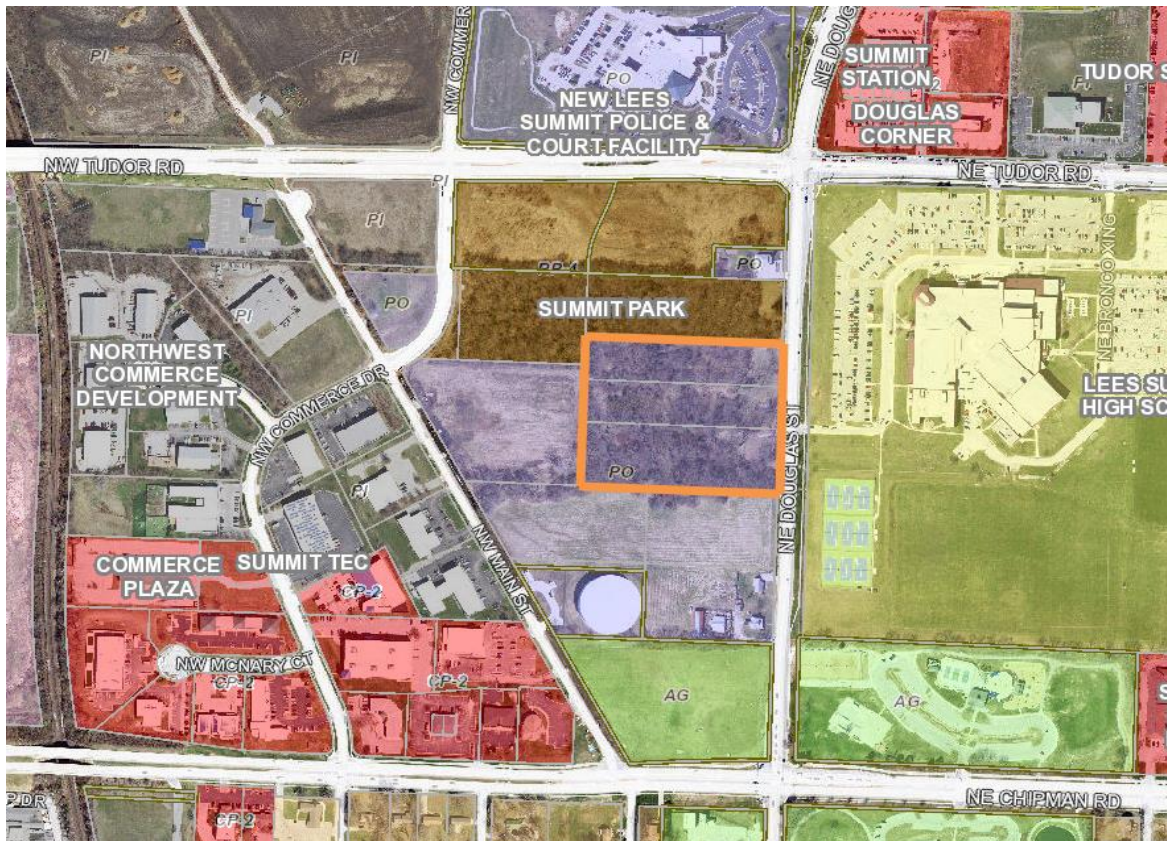
The proposed exterior materials will include vinyl siding (lap, shake and board & batten), vinyl shutters and stone wainscoting. The applicant is proposing an alternative parking plan to provide parking at a rate of 1.21 stall per unit for a total of 155 parking stalls (40 garages and 115 surface stalls). To justify the alternate parking plan the applicant has provide a parking utilization survey for similar project they own. The applicant has requested modifications to the maximum density and minimum lot size per unit.



2. Land Use

Description and Character of Surrounding Area

The properties to the north are zoned RP-4 and is the location of the recently approved Douglas and Tudor Apartments (#PL2022-243). South and west of the property is vacant undeveloped lots zoned PO. East of the subject site is the R-1 zoned Lee’s Summit North High School campus.



Adjacent Land Uses and Zoning

North:	Vacant / RP-4
South:	Vacant / PO
East (across NE Douglas St):	High School Campus / R-1
West:	Vacant / PO

Site Characteristics

The site is three (3) undeveloped lots that generally slope from the northeast to the southwest. The property is mostly covered with overgrown trees and scrub. Single family homes and accessory buildings formally occupied the sites. As of 2020 all former structures have been removed from the subject site.



Special Considerations

None

2. Project Proposal

Site Design

Land Use	
Impervious Coverage:	44.43%
Pervious:	55.57%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces proposed:	40 garages 106 standard stalls 9 ADA stalls 155 total spaces	Total parking spaces required:	155
Accessible spaces proposed:	9	Accessible spaces required:	1
Parking Reduction requested?	No	Off-site Parking requested?	No

Structure(s) Design

Number and Proposed Use of Buildings
1 / multi-family building 4 / garages 5 total buildings
Building Height
48'
Building Size
142,300 sq. ft.
Number of Stories
4 stories
Density
19.6 units per acre proposed (12 max in the RP-4 zoning district)

Setbacks (Perimeter)

Yard	Required Minimum	Proposed
Front	50' (Building) / 20' (Parking)	170.21' (Building) / 88.68' (Parking)
Side	10' (Building) / 20' (Parking)	117.3' (Building) / 30' (Parking)
Rear	20' (Building) / 20' (Parking)	132.72' (Building) / 60.57' (Parking)

4. Unified Development Ordinance (UDO)

Section	Description
2.240, 2.250, 2.60	Rezoning
2.260, 2.300, 2.310, 2.320	Preliminary Development Plan
4.130	Zoning Districts
8.030, 8.050	Planned Residential District Design Standards

Unified Development Ordinance

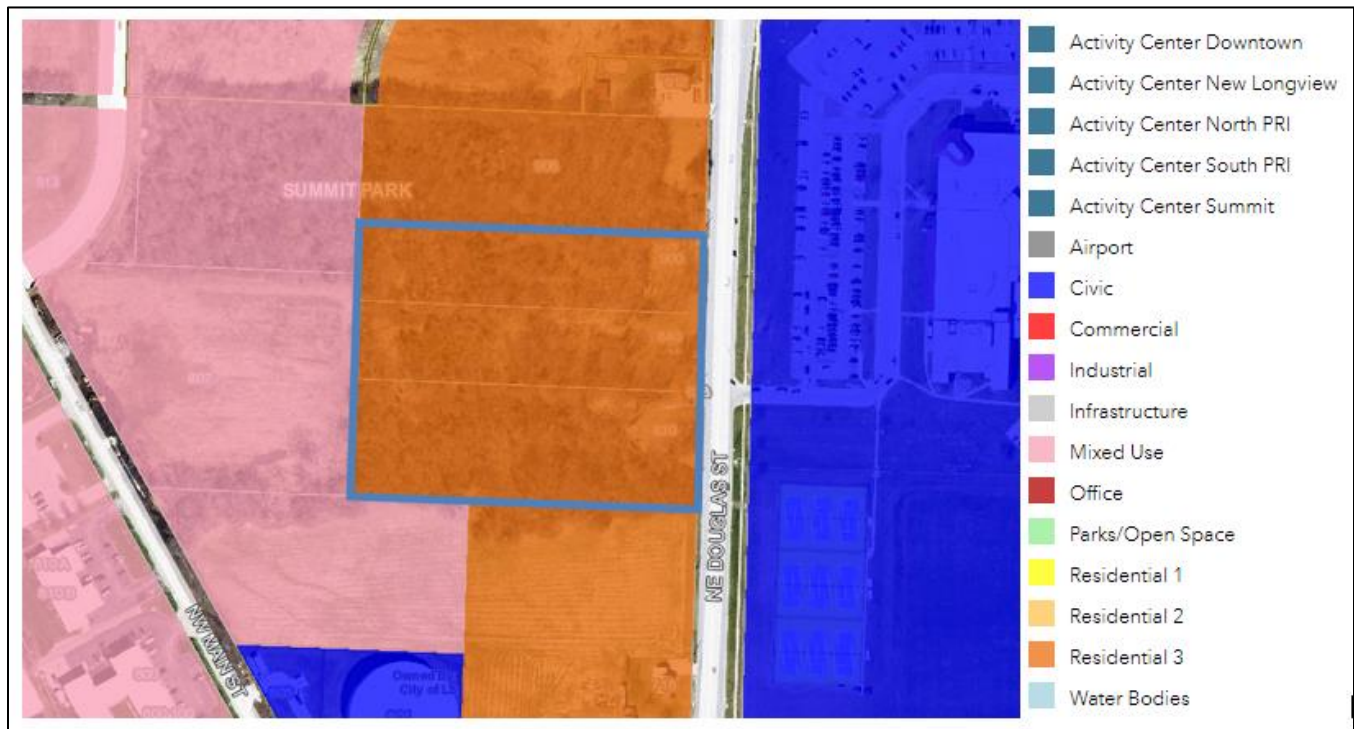
The RP-4 district is established to provide opportunities for medium/high-density residential development at a maximum density of 12 units per gross acre. The RP-4 district provides for a mix of multi-family attached dwelling units and/or apartments. The applicant has proposed a density of 19.6 units per acre. This will require a UDO modification as further explained below.

The proposed use is consistent and compatible with the approved future use of the RP-4 zoned property to the north and the comprehensive plan identified future uses in the immediate area.

Neighborhood Meeting
The applicant hosted a neighborhood meeting on August 2, 2023. Three (3) members of the public attended.
The applicant reported that the attendees had questions which included traffic, stormwater, taxes market demand and development timeline.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Strong Neighborhoods & Housing Choice	Goal 3.2B – Create and maintain a variety of housing options, styles and price ranges.
Resilient Economy	Goal 3.3.A – Build an adaptable framework for continued growth in a changing environment.
Land use & Community Design	Goal 3.7.A – Promote sustainable land use to meet the needs of the future.



The 2021 Ignite Comprehensive Plan land use map identifies the subject site’s future recommended land use as Residential 3. The proposed use is in harmony with the adopted future land use map.

One objective established in the Comprehensive Plan is to stimulate continued economic development investment by the private sector. The subject application meets this goal by developing a long vacant property in Lee’s Summit.

In addition to the economic development goals of the Comprehensive Plan the subject development is meeting the established goal of providing additional housing options for senior residents of the community.

Since 2016, the City of Lee's Summit has committed to participate in the Mid-America Regional Council's (MARC) Community for All Ages recognition program. The goals of this program were established to create and implement plans and policies to address the City's changing demographics. The recognition program encourages communities to respond positively to the rapid increase in the older adult population and to adopt policies and programs that make the region a great place for residents of all ages to live and age well.

The proposed Senior Independent Living Community will meet the goals of the Community for All Ages program by providing additional living options for our aging residents.

6. Analysis

Background and History

- June 22, 1914– The plat “Summit Park” was recorded with Jackson County.
- December 31, 1964 – The subject property was annexed into the City of Lee’s Summit by Ordinance No. 812.

Compatibility

The proposed exterior materials will include vinyl siding (lap, shake and board & batten styles), vinyl shutters and stone wainscoting. The proposed building materials are compatible with the design and construction of existing and recently approved multi-family structures throughout the community. The applicant has provided manufacture’s specification sheets indicating the minimum quality of vinyl siding they are proposing to utilize on this project. The wall thinness of the proposed siding is listed as 0.046”. This is the same level of thickness that was approved in 2022 for the Tristar project (#PL2022-074). The manufacture of the proposed Monogram Vinyl Siding product provides a lifetime limited warranty.

Adverse Impacts

The proposed development will not detrimentally impact the surrounding area. The project develops three underutilized, long-vacant properties. The proposed use and development standards of the subject application are substantially similar to the approved project adjacent to the northern property boundary.

The development is not expected to create an excessive amount of stormwater runoff. Stormwater management in the form of a detention pond will be located in the south west corner of the property.

Public Services

The proposed development is not expected to impede the normal and orderly development and improvement of the surrounding property. The proposed development will be required to construct the public water, sanitary, street and storm improvements required for this development and will tie into the surrounding public infrastructure.

Modifications

The applicant has requested a modification to UDO Sec. 6.030 - Density and Minimum Lot Size.

- **Required** – 12 dwelling units per acre maximum in the RP-4 district; and minimum 3,500 sq. ft. lot size per dwelling unit
- **Proposed** – 19.6 dwelling units per acre; and 2,393 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. For context, the recently approved Douglas and Tudor Apartments (#PL2022-243) was granted the same set of modifications to allow for 27.47 units per acer and a lot size of 1,585.38 sq. ft. lot size per dwelling unit.
 1. Modification of UDO Sec. 6.030, Table 6-2, Density, to allow 19.6 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 2,393 sf. per unit for the RP-4 district instead of 3,500 sf. per unit.

Project Name	Total Number of Units	Lot Acreage	Density
Clover Communities (proposed)	128	7.04	19.6 units/acre
Douglas and Tudor Apartments	358	13.03	27.47 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
Chapel Ridge Apartments (phase 1)	276	11.96	23.1 units/acre
Chapel Ridge Apartments (phase 2)	120	4.62	25.97 units/acre

Alternate Parking Plan

The UDO establishes two methods an applicant may choose from when determining the minimum number of parking stalls required for a proposed use. The first method to determine minimum parking is to use Table 8-1 of the UDO. For an apartment use, Table 8-1 establishes the ratio of 1 parking space per studio unit + 1.5 parking space per 1- or 2-bedroom unit + 0.5 parking space per unit for guest parking or 256 parking stalls at a rate of 2.0 parking stalls per unit for the subject application.

Alternatively, the UDO allows for the City Council to consider an Alternate Parking Plan that tailors the number of required parking spaces to the specific conditions of particular development as part of a preliminary development plan. The applicant has chosen to request approval of an alternate parking plan at a parking ratio of 1.21 parking stalls per unit.

As justification for the proposed parking ratio, the applicant provided a parking utilization survey identifying the parking provide for similar projects. Of the six (6) completed and occupied projects the average parking stalls provided per unit was 1.04 stalls with a parking utilization ranging from 64% to 90 and averaging 80%.

The applicant has reported that their average occupant typically only owns a single vehicle or no vehicle at all. Staff feels that with the provide information, the requested alternative parking plan is reasonable. Below is a table summarizing the parking utilization survey provided by the applicant for the six (6) completed projects.

Community	Location	Units	Occupants	Avg. Occ/unit	Parking Provided	Parking/unit	Occ. who own a car	Parking Utilization
Eastland Court	Independence, MO	128	140	1.09	130	1.02	98	75%
Lyndon Square	Louisville, KY	119	117	0.98	135	1.13	110	81%
Tucker Station	Louisville, KY	119	115	0.97	130	1.09	83	64%
Preston Village	Louisville, KY	120	141	1.18	116	0.97	108	93%
Pleasant Run	Indianapolis, IN	119	137	1.15	126	1.06	96	76%
Wynbrooke	Indianapolis, IN	125	112	0.90	125	1.00	112	90%
Total / Average		730	762	1.04	762	1.04	607	80%

Recommendation

With the conditions of approval below, the application meets the requirements of the Ignite! Comprehensive Plan, 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 19.6 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 2393 sf. per unit for the RP-4 district instead of 3,500 sf. per unit.
3. A minimum of 0.046 in. (.46 mm) vinyl siding shall be used on the exterior of the structures.
4. Development shall be in accordance with the preliminary development plan dated August 28, 2023, and the elevations dated August 15, 2023, 2023.
5. Development shall be in accordance with the Transportation Impact Analysis by Erin Ralovo, PE, dated October 5, 2023 – 2 pages.
6. If it is determined that a southbound left turn lane is required to be constructed with this development, The Developer shall execute a mutually satisfactory development agreement with the City.

Standard Conditions of Approval

7. 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.
8. 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).
9. 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.
10. 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.
11. 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 approval of the final plat and prior to approval of any Final Development Plan. A certified copy shall be submitted to the City for verification.
12. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
13. 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.
14. 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.
15. 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.