

LS Memorandum

City of Lee's Summit

To: [City Council]
From: [Development Services Department]
C: [File]
Date: [November 8, 2021]

[**Appl. #PL2021-262–Rezoning and Preliminary Development Plan – Douglas Station Apartments, 1141 NW Sloan St, 3 NE Sycamore St; Cave State Development, applicant**]

[This supplemental memo to the staff report originally presented to the Planning Commission on September 9, 2021, provides additional information related to the development history and Comprehensive Plan history of the subject property. This memo also contains additional Comprehensive Plan analysis than that included in the staff report.]

History – Development

- December 31, 1964 – The subject property was annexed in to the city limits as part of a 38.2 sq. mile annexation. The subject property was annexed and presumably assigned an A (Residential) zoning designation.
- February 1, 1966 – The City Council revised the zoning map for the city. The subject property was given an R-1 (First Dwelling Housing) zoning designation.
- November 15, 1994 – The City Council approved a rezoning of approximately 87 acres from R-1 (Single-family) and CP-1 (then C-B) to PO (then G-OP) and PI (then M-1P) by Ordinance No. 4065. Specifically, the subject 6.3 acres were rezoned from R-1 to PI.
- February 7, 2002 – The City Council approved a rezoning of approximately 25 acres from PI to CP-2 and PI (Appl. #2001-177) and a preliminary development plan (Appl. #2001-178) for the Douglas Station Commercial Park. Specifically, the subject 6.3 acres were rezoned from PI to CP-2; the approved plan called for the development of office uses on the subject property. Of the 25 acres contained in the plan, only the subject 6.3 acres remain undeveloped.

History – Comprehensive Plan

- December 31, 1964 – The subject property was part of a 38.2 sq. mile annexation.
- December 15, 1969 – The 1968 Comprehensive Plan was adopted by the Planning Commission.
 - The subject property was shown as **Industrial** on the Recommended Land use Plan.

LS Memorandum

- *"The primary objective in planning for industrial growth is to encourage industrial development by providing a variety and range of industrial sites so that it is economically feasible to manufacture and provide goods, services and employment in areas that are attractive, convenient, and safe on land suitably located so that industrial growth can continue to benefit industry, the community and the region."*
- February 23, 1981 – The 1980 Comprehensive Plan was adopted by the Planning Commission.
 - The subject property was shown as **Industrial/Manufacturing** on the Recommended Land use Plan.
 - *"To provide a sound, diversified industrial/economic base in the community that will provide jobs for all residents and that will attract population and create a demand for ancillary businesses and services."*
- November 8, 1993 – The 1993 Comprehensive Plan was adopted by the Planning Commission by Resolution No. 1993-01.
 - The subject property was shown as **High-Density Residential** on the Recommended Land Use Plan.
 - *"The High-Density Residential land use designation is designed to accommodate residential developments with densities exceeding 8 dwelling units per acre. These areas are primarily designed for multiple-family residences but could also accommodate duplexes and single-family developments."*
- June 24, 2003 – The North Area Comprehensive Plan Update (Conceptual Land Use & Transportation Network Plan) was adopted by the Planning Commission by Resolution No. 2003-01.
 - The subject property was shown as **Commercial (Office/Retail)** on the Recommended Land Use Plan.
 - *"This land use type is intended to accommodate commercial and service related activities ranging from retail to office. It promotes creative integration of more intensive retail uses and less intensive office uses in one general area. This use type may also allow single use development. However, where appropriate, integration of both uses is strongly encouraged."*
- May 10, 2005 – The 2005 Comprehensive Plan was adopted by the Planning Commission by Resolution No. 2005-02. (The 2005 Comprehensive Plan consolidated all Comprehensive Plan-related documents previously adopted from 2001-2005, including the Old Lee's Summit Master Development Plan).

LS Memorandum

- The subject property was shown as **Commercial (Office/Retail)** under the Recommended Land Use Plan.
- May 27, 2021 – The Ignite! Comprehensive Plan was adopted by the Planning Commission by Resolution No. 2021-01.
 - The subject property was shown as **Industrial** on the Recommended Land Use Plan.
 - *“This category is for light and heavy industrial uses, distribution and warehouse developments.”*

Ignite! Comprehensive Plan Analysis

- The recommended land use for the subject property under the Ignite plan is Industrial. The proposed apartment development falls under the Residential 3 (Higher Intensity) land use category of the Ignite Comp Plan, and therefore does not comply with the plan.
- The comprehensive plan serves as a guide for future development throughout the city for a 15-20 year time period. Recommendations for the highest and best uses of land contained in the plan are in part based on an analysis of current and projected market conditions. At the same time, the comprehensive plan is a living document that can be amended as needed to reflect changes in the market indicating demand for development under an alternate land use category.
- Adequate public infrastructure has been accessible in the area since the abutting Douglas Station Commercial Park property to the north and east, of which the subject property is a part of, was developed between 2003 and 2005.
- The subject 6.3-acre property was historically used for agricultural purposes and has never been developed. The history of recommended land use designations for the subject property under different comprehensive plans dating back to 1969 include the following:
 - Industrial: 1969 - 1993
 - High-Density Residential: 1993 - 2003
 - Commercial (Office/Retail): 2003 - May 27, 2021
 - Industrial: May 28, 2021 – present

The history of zoning classification for the subject property since it's annexation into Lee's Summit includes the following:

- A (Residential): 1964 – 1994

LS Memorandum

- PI (Planned Industrial): 1994 – 2002
- CP-2 (Planned Community Commercial): 2002 – present

Comprehensive plan land use designations and zoning have been in place on the subject property to develop since its annexation in 1964. Adequate public infrastructure has existed in the area for the subject property to develop since approximately 2005. Neither of these conditions have led to the development of the property to date. While the subject property is a part of the still-valid approved preliminary development plan for Douglas Station Commercial Park, the property is the only remaining undeveloped site covered by the approved plan.

- Development of the third-tier property under its existing CP-2 zoning is not conducive to commercial development due to its lack of visibility from the NE Douglas St commercial corridor.

The subject property sits at a transition point between commercial property to the north and east; industrial property to the west; and a public facility to the south in the form of police headquarters and municipal court complex. The proposed apartment development would serve as a higher-density transitional use where the three types of existing area land uses converge. NW Sloan Street is a border between future industrial uses to the west the proposed high-density residential Douglas Station apartments and the commercial that fronts Douglas Street.

Conditions of Approval

1. A modification shall be granted to the maximum allowable density of 12 units per acre in RP-4 district, to allow a density of 23.38 units per acre.
2. Development shall be in accordance with the preliminary development plan, consisting of 18 total pages:
 - Preliminary Development Plan, dated September 21, 2021
 - Preliminary Site Details, dated August 9, 2021
 - Preliminary Grading Plan, dated August 9, 2021
 - Preliminary Utility Plan, dated August 31, 2021
 - Lighting Plan, dated July 2, 2021
 - Photometric Plan, dated July 2, 2021
 - Landscape Plan, dated August 10, 2021
 - Floor Plans, dated August 10, 2021 - 7 pages
 - Architectural Elevations, dated September 1, 2021 - 4 pages

LS Memorandum

3. The future reconfiguration of the right of way at the intersection of NW Sloan St and NE Sycamore St shall require the subject development's southern entrance along NW Sloan St to become a right in/right out entrance, to be managed by the construction of a center median to prevent left-hand turns either from the public road or the entrance.
4. The applicant shall submit, and the Planning Commission shall consider, an application for comprehensive plan amendment for a change in land use category from Industrial to Residential 3 prior to the issuance of any building permits. **(added by staff)**