

City of Lee's Summit

Department of Planning & Codes Administration

March 18, 2016

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director 
RE: **PUBLIC HEARING – Appl. #PL2016-013 – REZONING from CP-2 to RP-4 and PRELIMINARY DEVELOPMENT PLAN – Chapel Ridge 4-plexes II, 3751 NE Troon Dr.; CEAH Realtors, applicant**

Commentary

The applicant proposes to rezone approximately 1.83 acres, located east of NE Troon Drive and west of NE Akin Circle, from CP-2 (Planned Community Commercial) to RP-4 (Planned Apartment Residential) for construction of a multi-family development. The preliminary development plan proposes a total of 19 dwelling units composed of one (1) 5-plex, three (3) 4-plexes and one (1) duplex. The original preliminary development plan for this lot showed it being comprised of a 20,000 square foot two-story office building with shared parking between this lot and the lot immediately to the west. The property is immediately north of Chapel Lakes Elementary School and northwest from the recently approved 4-plex residential development known as Chapel Ridge 4-plexes. The applicant requests modifications to the landscape buffering requirements to the north, west, south and east. Staff supports the requested modifications.

- 1 lot on 1.83 acres
- 10.4 units/acre (density) – 12 units/acre maximum permitted in RP-4
- 60% impervious coverage – 60% maximum permitted
- 40% open space – 40% minimum required
- 44 parking spaces provided (6 surface visitor; 19 surface dwelling; 19 garage dwelling); 41 spaces required

Recommendation

Staff recommends **APPROVAL** of the rezoning and preliminary development plan, subject to the following:

1. A modification shall be granted to the high impact buffers required to the north, west, south and east, to allow for a low impact buffer to be provided along the west, south and east property lines and the existing vegetation to remain to the north.

Project Information

Proposed Use: multi-family development
Current Zoning: CP-2 (Planned Community Commercial)
Proposed Zoning: RP-4 (Planned Apartment Residential)
Land Area: 1.83 acres (79,523 square feet)
Number of Lots: 1 lot
Dwelling Units: 19

Density: 10.4 units/acre

Location: east of NE Troon Drive and west of NE Akin Circle

Surrounding zoning and use:

North: CP-2—Vacant undeveloped commercial property

South: R-1 (Single-Family Residential)—Chapel Lakes Elementary School

East: RP-4 & CP-2—Chapel Ridge 4-plexes & Retail

West: CP-2—Office/Retail/Commercial

Background

- December 8, 1998 – The City Council approved a final plat (Appl. #1998-259) for *Fairway Village, Lots 1-5 and Tracts A-D* by Ord. #4717. The plat was recorded at the Jackson County Recorder of Deeds office on March 29, 1999, by Instrument #1999I0024915.
- December 8, 1998 – The City Council approved a preliminary site plan (Appl. #1998-216) for Fairway Village, 3720-3751 NE Troon Drive. The subject lot was shown as consisting of a 20,000 square foot two-story office building with shared parking between the subject lot and the lot immediately to the west.

Analysis of Rezoning

Comprehensive Plan. The 2005 Lee's Summit Comprehensive Plan shows the area as retail.

Surrounding Uses. The properties to the north and west are zoned CP-2 and consist of commercial/retail uses. The property to the south is zoned R-1 and is the site of Chapel Lakes Elementary School. The property to the east is zoned CP-2 and RP-4; it is comprised of retail uses and the recently approved Chapel Ridge 4-plex development, respectively. The proposed development would be an extension of the Chapel Ridge 4-plex development that was recently approved.

Request. The applicant proposes to rezone 1.83 acres from CP-2 to RP-4 for construction of a 19-unit 5-plex, 4-plex and duplex development.

Recommendation. Staff supports the proposed rezoning to RP-4. The proposed use is compatible with the recently approved Chapel Ridge 4-plex development to the southeast, and provides a transition between the commercial properties to the north and west and the abutting elementary school.

Analysis of Preliminary Development Plan

Parking. The original preliminary development plan for this lot showed it being comprised of a 20,000 square foot two-story office building with shared parking between the subject lot and the lot immediately to the west. According to a color-coded approved preliminary site plan (Appl. #1998-216), the subject lot (Lot 5) contained 6 parking spaces that were intended for use by the occupants of the office buildings on the lot immediately to the west (Lot 4).

The two buildings that comprise Lot 4 both received their occupancy permits in 2000, and have existed in their current state for the past 16 years. The office buildings have not generated sufficient parking demand to necessitate the construction of the 6 shared parking spaces on the subject property. The proposed multi-family development eliminates the ability for the previously approved 6 shared parking spaces to be constructed on the subject property. Staff

is not concerned about the proposed loss of the 6 landbanked parking spaces based on the historical use and parking demand of the abutting Lot 4, which has adequately been served by its existing parking space inventory. The UDO authorizes the Director of Planning and Codes Administration to administratively approve an alternate parking plan for the abutting Lot 4 that allows for a deviation from the minimum parking requirements of Table 12-1 of Article 12 if it is determined that the existing parking spaces satisfies the parking demand generated by a development.

Existing Developments & Parking	
Lot #	Parking Provided (Required)
Lot 3	17 spaces provided (19 spaces required)
Lot 4	60 spaces provided (64 spaces required)

Landscape Buffer. Modification requested. **Staff supports requested modification.**

- Proposed – The applicant proposes to install a low impact buffer/screen along the west, south and east property lines. The applicant proposes to leave the existing vegetation to the north.
- Required – For RP-4 uses: a high impact buffer is required adjacent to R-1 and CP-2. A high impact buffer is composed of a low impact buffer plus a 6-foot tall masonry wall or opaque vinyl fence.
- Recommended – Staff supports the requested modification to allow a low impact buffer in lieu of the required high impact buffers along the west, south and east property lines. The applicant proposes to supplement an existing heavy tree line along the south property line between the proposed development and the abutting elementary school with a low impact buffer. As referenced above, the amount of landscaping required of a high impact buffer is identical to that of a low impact buffer. However, the high impact buffer has the additional component of a 6’ tall masonry or vinyl fence. Staff believes that the existing tree line along the south property line supplemented with a low impact landscape buffer provides a sufficient physical and visual buffer between the abutting uses to mitigate any impacts from the proposed development.

Staff supports the requested modification to allow a low impact buffer in lieu of the required high impact buffer along the west and east property lines where the proposed development faces commercial property. The abutting developments are existing office/retail uses. In addition, the portions of these properties that abut this proposed development are to the rear of their respective buildings and as a result will have minimal traffic and parking.

Staff is also supportive of the requested modification to the buffer along the north property line considering that the abutting property is heavily treed and the majority of the property abutting is comprised of an existing detention area.

Density. The proposed project is less dense than the maximum allowed by the RP-4 zoning district and is comparable with the densities of the abutting 4-plex and apartment developments. The table below provides a comparison of the density of the adjacent residential developments, the proposed development and allowable densities of their respective zoning districts.

Development	Density	
	Actual or Proposed	Allowed by District
Chapel Ridge 4-plexes II (proposed)	10.4 units/ac	12.00 units/ac
Chapel Ridge 4-plexes (recently approved)	10.0 units/ac	12.00 units/ac
Chapel Oaks	8.99 units/ac	10.00 units/ac
The Fairways at Lakewood	12.97 units/ac*	12.00 units/ac

*The Fairways at Lakewood received a modification to allow for 12.97 units/ac.

Livable Streets. The proposed development plan includes all Livable Streets elements identified in the City’s adopted Comprehensive Plan, associated Greenway Master Plan and Bicycle Transportation Plan attachments, and elements otherwise required by ordinances and standards, including but not limited to sidewalk, landscaping, and accessibility. No exceptions to the Livable Streets Policy adopted by Resolution 10-17 have been proposed.

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.

Public Works

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. 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. 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.

Fire

4. 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.
5. 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. B105.2 – Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1. Exception: A reduction in required fire-flow of up to 75 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow

shall not be less than 1,500 gallons per minute (5,678 L/min) for the prescribed duration as specified in Table B105.1. The water main may need to be upsized to accommodate the fire flow required by Table 105.1. Complete a water model to ensure adequate waterflow is available. Obtain area water flow information from Water Utilities.

6. 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. The road shall be posted “No Parking” on both sides of the street.

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7. 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 60 inches (5 feet) above the ground measured from the bottom of the sign, at the head of the parking space.
8. Sign permits shall be obtained prior to installation of any signs through the Department of Planning and Codes Administration. All proposed signs must comply with the sign requirements of Article 13 of the UDO.

RGM/cs

Attachments:

1. Transportation Impact Analysis prepared by Michael Park, dated March 15, 2016—2 pages
2. Reduced Copy of Color-Coded Original Preliminary Development Plan, date stamped November 11, 1998—1 page
3. Rezoning Exhibit date stamped February 29, 2016—1 page
4. Preliminary Development Plan, date stamped February 29, 2016— 7 pages
 - Site Plan (Sheet A1.1)
 - Preliminary Grading & Utility Plan (Sheet C1.1)
 - Landscape Plan (Sheet L1.1)
 - Elevations (Sheets A3, A3.1, A3.2, and A3.3)—4 pages
5. Location Map