



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-219
File Name	REZONING from AG and R-1 to R-1 and PRELIMINARY DEVELOPMENT PLAN – The Ridge at Winterset Summit (previously titled Winterset Cedar Creek)
Applicant	Engineering Solutions, LLC
Property Address	2550 SW 3 rd St
Planning Commission Date	October 22, 2020
Heard by	Planning Commission and City Council
Analyst	Victoria Nelson
Checked By	Hector Soto, Jr., AICP, Planning Manager and Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: January 21, 2020
Neighborhood meeting conducted: September 23, 2020
Newspaper notification published on: October 3, 2020
Radius notices mailed to properties within 300 feet on: October 2, 2020
Site posted notice on: October 2, 2020

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Attachments

Rezoning Exhibit and Legal Description, dated September 3, 2020
Preliminary Development Plan, dated August 7, 2020 – 2 pages

Macro Storm Water Drainage Study, dated September 22, 2020 – 10 pages

Traffic Impact Analysis, dated October 14, 2020

Public Comment – 2 pages

Location Map


1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions, LLC/Engineer
Applicant’s Representative	Matt Schlicht
Location of Property	2550 SW 3 rd St
Size of Property	± 828,389.46 Sq. Ft (19.02 Acres) Rezoned Area ± 154,804.45 Sq. Ft. (3.55 Acres) Residential Site Area
Existing Zoning	AG (Agricultural) and R-1 (Single-family Residential)
Proposed Zoning	R-1 (Single-family Residential)
Number of Lots	5 Lots and 1 common area tract
Density	1.45 units/acre proposed 4.0 units/acre max allowed in R-1 (Single-family Residential)
Comprehensive Plan Designation	Low Density Residential and Public/Semi Public
Procedure	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.
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. There is no expiration to an approval for rezoning.

Current Land Use
The property is a vacant piece of land zoned Agriculture (AG) and R-1.

Description of Applicant’s Request
The applicant seeks a rezoning and preliminary development plan approval for The Ridge at Winterset Summit. The plan proposes five (5) single-family residential estate lots and one tract.

2. Land Use

Description and Character of Surrounding Area	
	<p>The property is wooded vacant ground located north of SW 3rd St between Cedar Creek Elementary School and the Winterset Park Subdivision.</p>

Adjacent Land Uses and Zoning

North:	Vacant wooded ground/AG
South:	Single-family residential/R-1
East:	Single-family residential/R-1
West:	Cedar Creek Elementary/R-1

Site Characteristics
The site is currently a heavy wooded area that has a steep terrain that slopes downward as you move from east to west. On the far north end of the property towards the middle there is steep gully.

3. Project Proposal

Setbacks (Perimeter)

Yard	Building Required	Building Proposed
Front	30'	20' - 40' depending on lot
Side	7.5'	7.5'
Rear	30'	30'

Structure(s) Design

Number and Proposed Use of Buildings
5 single-family residences
Building Height
40' max per UDO standards – R-1 estate lots
Number of Stories

3 stories max per UDO standards

4. Unified Development Ordinance (UDO)

Section	Description
4.090	R-1 (Single-Family Residential) District
6.030.	Minimum lot size
6.040.	Minimum principal building setbacks
6.050.	Maximum structure heights
2.240,2.250,2.260	Rezoning
2.260,2.300,2.310,2.320	Preliminary Development Plan

Unified Development Ordinance

The proposed use follows Sec. 4.090 of the UDO for the R-1 zoning district, which “permits single-family detached dwellings at low density and supports the goal of the Lee's Summit Comprehensive Plan in providing single-family densities at a maximum of four (4) units per gross acre in close proximity to existing urban development.”

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.2 Objective 1.4
Residential Development	Objective 3.2 Objective 3.3

Comprehensive Plan

The proposed development is generally consistent with the recommended land use designation for the area of low density residential in the Comprehensive Plan; is compatible with the existing and planned surrounding land uses; and meets the Comprehensive Plan objectives of providing a diverse housing type that meets an identified need in the market.



6. Analysis

Background and History

The proposed rezoning and preliminary development plan is for the construction of five (5) single-family homes for a new subdivision called The Ridge at Winterset Summit. The site of the proposed development is composed of portions of a common area tract in the Winterset Valley subdivision and Cedar Creek Elementary School property.

- April 9, 1990 – A preliminary plat was approved by Planning Commission for *Winterset Park, Phase 1, Lots 1-43* (Appl. #1990-171).
- June 5, 1990 – City Council approved final plat for *Winterset Park, Lots 1-45* (Appl. #1990-172) by Ordinance No. 3419.
- March 19, 1996 – A final development plan was approved for *Lee's Summit West Elementary School*. (Appl. #1996-118).
- December 12, 1997 – A minor plat was approved for *Cedar Creek Elementary School Lot 1*. (Appl. #1997-218).

Analysis of Rezoning

The proposal to rezone approximately 19.02 acres from AG and R-1 to R-1 is to ensure compatibility with the neighboring Winterset Park subdivision and to continue the existing R-1 zoning that dominates the residential landscape along the SW 3rd St.

Compatibility

The proposed subdivision is consistent with the abutting Winterset Park subdivision. The Ridge at Winterset Summit density is comparable to the surrounding neighborhood. The Ridge at Winterset Summit subdivision yields a density of 1.45 units per acre, while the adjoining subdivisions yield around 1.18 and 1.25 units per acre. The lot area and lot depth for The Ridge at Winterset Summit is the same as the abutting neighborhoods, averaging around 17,000 sq. ft. for the area and 140 ft. for depth. Setbacks in both Winterset Park and The Ridge at Winterset Summit will have the same measurements for the rear and side. However, front yard setbacks for The Ridge at Winterset Summit will differ due to topographical considerations. Front yard setbacks will range from 20' to 40'.

Adverse Impacts

The proposed single-family development will not detrimentally impact the surrounding area. The homes will share the architectural style seen throughout the other Winterset communities and thus should enhance the neighborhood.

Public Services

The proposed development will tie into and extend the existing water, sanitary sewer, and street infrastructure.

The stormwater runoff is being proposed to drain into the nearby Cedar Creek undetained. The results of the "Macro Storm Water Drainage Study" dated Sept. 22, 2020 indicate that the peak flow from this development is not being increased and that it is actually slightly decreased. Two (2) design waivers are being sought for this development, with the first one being a waiver for detention for the peak flows, and the other for the 40-hour extended detention. While the City would be willing to consider a design waiver for the peak flow attenuation of stormwater from the development, 40-hour extended detention may still be required. (The 40-hour extended detention requirement is designed to provide mitigation for the increased volume of stormwater discharged from the site, by requiring that the frequent storm events are detained for a minimum of 40 hours, and thereby preventing downstream channel degradation of the streambanks.). Any design waivers will need to be considered and approved by the City Engineer during the engineering plan review process.

The proposed development will not impede the normal and orderly development of the surrounding property.

Modifications

Front Yard Setbacks. Modification requested.

- Required – R-1 single-family residential front yard set backs are to be no less than 30 ft.
- Proposed – There are a total of five (5) new lots that are being proposed. Three (3) of the five (5) lots are requesting front yard setbacks less than the required 30 ft. setback in an R-1 district. Lots 2 and 3 are requesting a 25' setback, while Lot 4 is requesting a 20' set back.
- Recommended – Due to the topography challenges presented by the property, staff supports the requested modification.

Cul-de-sac lots, maximum number of. Modification requested.

- Required – A subdivision shall consist of no more than 10% cul-de-sac lots.
- Proposed – There are forty-five (45) existing lots with eight (8) of them being on a cul-de-sac in the Winterset Park subdivision. The new proposed Ridge at Winterset Summit will have a total of five (5) lots, all of them on a cul-de-sac. Aggregating the two subdivisions, the total will be fifty (50) lots, of which thirteen (13) of the homes will be on a cul-de-sac. The resulting 26% cul-de-sac lot composition exceeds the allowed 10% of total for a subdivision.
- Recommended – Except where topography or other conditions justify their use, cul-de-sacs are generally discouraged in subdivision design. The subject property has significant topographical features that inhibit the ability to provide an interconnected grid or modified grid street system (see image below). The proposed subdivision well exceeds the maximum number of cul-de-sac lots allowed in a subdivision, all attributable to the topographical challenges presented by the property. Staff supports the requested modification.

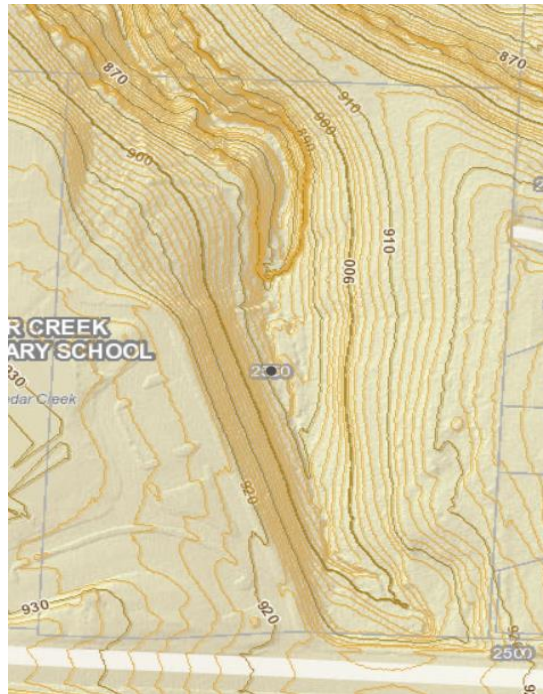


Figure 1- Existing topography

Recommendation

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

7. Recommended Conditions of Approval

Site Specific

1. A modification shall be granted to the 10% maximum allowance of cul-de-sac lots in a subdivision, to allow a combined 26% cul-de-sac lots between The Ridge at Winterset Summit and Winterset Park subdivisions.
2. A modification shall be granted to the minimum 30' front yard setback requirement, to allow the requested 25' for Lots 2 and 3, and 20' for Lot 4 for The Ridge at Winterset Summit subdivision.

Standard Conditions of Approval

3. 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 plat and approved prior to the approval of the final plat. All public infrastructure must be substantially complete, prior to the issuance of any building permits.
4. A Master Drainage Plan (MDP) shall be submitted and approved in accordance with the City's Design and Construction Manual for all areas of the development, including all surrounding impacted areas, along with the engineering plans for the development. The MDP shall address drainage level of service issues on an individual lot basis.

5. 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 infrastructure permits or the start of construction (excluding land disturbance permit).
6. 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). 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.
7. The As-graded Master Drainage Plan shall be submitted to and accepted by the City prior to the issuance of a Certificate of Substantial Completion and prior to the issuance of any building permits for the development.
8. 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.
9. Upon approval of the proposed rezoning from AG to R-1, by City Council, the applicant will become responsible to provide the appropriate level of right-of-way maintenance (mowing) during each growing season with the defined area abutting their property as defined and outlined in the City's Mowing Policy, approved by Council on November 3, 2005.
10. 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 the issuance of a Certificate of Substantial Completion or approval of the final plat. A certified copy shall be submitted to the City for verification.
11. A restriction note shall be included on the final plat stating: "Individual lot owner(s) shall not change or obstruct the drainage flow paths on the lots, as shown on the Master Drainage Plan, unless specific application is made and approved by the City Engineer."
12. A final plat shall be approved and recorded prior to any building permits being issued.