



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-165
File Name	REZONING from AG to RLL– Burke Acres
Applicant	Kevin T. and Denise A. Burke
Property Address	296 NW Anderson Dr.
Planning Commission Date	July 23, 2020
Heard by	Planning Commission
Analyst	Jennifer Thompson, Senior Planner
Checked By	Kent D. Monter, PE, Development Engineering Manager Hector Soto, Jr., AICP, Planning Manager

Public Notification

Pre-application held: April 21, 2020

Neighborhood meeting conducted: The requirement for an applicant to hold in-person neighborhood meetings pursuant to UDO §2.205 has been suspended during the period of the Emergency Declaration which will end on July 31, 2020, unless earlier terminated or further extended by the Mayor. Pursuant to the Mayor's Emergency Order, Applicants are encouraged to use all available alternative methods of communication to inform neighbors of each pending application and solicit neighbors' input and feedback and provide answers to questions about proposed land development.

Newspaper notification published on: July 4, 2020

Radius notices mailed to properties within 300 feet on: June 30, 2020

Site posted notice on: June 30, 2020

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Attachments

Rezoning Exhibit – 1 page

Single-Family Residential Compatibility Form –3 pages

Rezoning Criteria Response, submitted by applicant – 1 page

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Kevin T. and Denise A. Burke
Applicant’s Representative	Construction Engineering Services, Inc.
Location of Property	296 NW Anderson Dr
Size of Property	± 3.51 acres
Current Zoning	AG (Agricultural)
Proposed Zoning	RLL (Residential Large Lot)
Comprehensive Plan Designation	Medium/High-Density Residential
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed rezoning request. The City Council takes final action on the rezoning request in the form of an ordinance.</p> <p>Duration of Validity: Rezoning approval by the City Council shall be valid upon approval and has no duration period associated. A preliminary development plan is not required when rezoning to the RLL zoning district.</p>

Current Land Use
The property is a vacant parcel located in the northwest limits of the City, surrounded by large lot single-family residential development and agricultural property.

Description of Applicant’s Request
<p>The applicant seeks approval of a rezoning from AG (Agricultural) to RLL (Residential Large Lot) for property located at 296 NW Anderson Dr. The 3.51 acre parcel is located in the northwest limits of the City, east of Lee’s Summit Rd. and north of NW Anderson Dr. The intent of the rezoning is to allow for the future construction of a single-family home.</p> <p>The parcel is currently a non-conforming lot as it has been subdivided through the years and no longer meets the 10 acre minimum for the AG zoning district. The rezoning of the property and a minor plat will bring the property into conformance with current zoning and subdivision regulations, thus allowing a single-family home to be built on the lot.</p>

2. Land Use

Description and Character of Surrounding Area

The subject property lies in a rural, farm-like setting surrounded by large lot single-family homes to the east and west, vacant AG ground to the south (across NW Anderson Dr) and the Little Blue River immediately north of the property.

Adjacent Land Uses and Zoning

North:	Vacant ground and Little Blue River/AG
South (Across NW Anderson Dr.):	Vacant ground / AG
East:	Large acreage single-family home/ AG
West:	Large acreage single-family home / AG

Site Characteristics

The site is an open and level piece of ground. An existing mature treeline forms the property's northern boundary along the abutting Little Blue River.

Special Considerations

Future development of the property as single-family home may require a floodplain development permit as portions of this property are within the 100 and 500 year floodplain fringe areas. No sanitary sewer service is available. An on-site sanitary sewer system would need to be provided and is permitted through Jackson County Public Works.

3. Project Proposal

Site Design

Land Use	
Impervious Coverage:	N/A
Pervious:	N/A
TOTAL	N/A

Setbacks (Perimeter)

Yard	Building/Required
Front (NW Anderson Dr.)	30' (Building)
Side (west and east)	10' (Building)
Rear (north)	30' (Building)

4. Unified Development Ordinance (UDO)

Unified Development Ordinance

Section	Description
2.240,2.250,2.60,2.300	Rezoning with no preliminary development plan
4.080	Zoning Districts

The property requires a rezoning to allow for the future development of a single-family home on the property. A minor plat shall also be required to allow for the issuance of a building permit.

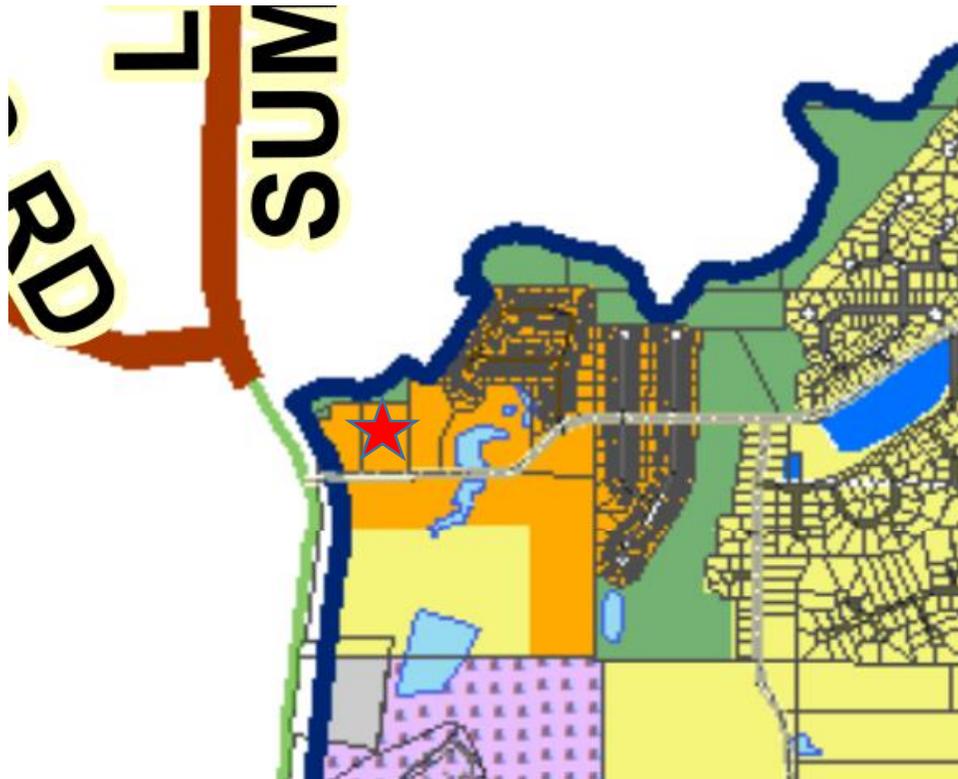
5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.3 Objective 1.4

Comprehensive Plan

The proposed rezoning to the RLL zoning district is not consistent with the medium/high-density residential land use recommended by the comprehensive plan for the area. However, the proposed RLL zoning district meets the objectives of the comprehensive plan as it is establishing a well-defined land development plan for the areas that is consistent with the surrounding character of the neighborhood.

The property is a complicated site in terms of floodplain issues, which limits and restricts the amount of development that can occur onsite.



LAND USE



6. Analysis

Background

The applicant seeks approval of a rezoning from AG (Agricultural) to RLL (Residential Large Lot) for property located at 296 NW Anderson Dr. The 3.51 acre parcel is located in the northwest limits of the City, east of Lee's Summit Rd. and north of NW Anderson Dr. The intent of the rezoning is to allow for the future construction of a single-family home.

The parcel is currently a non-conforming lot as it has been subdivided through the years and no longer meets the 10 acre minimum for the AG zoning district. The rezoning of the property and a minor plat will bring the property into conformance with current zoning and subdivision regulations.

Compatibility

The 3.51-acre property is located along NW Anderson Rd adjacent to existing large lot single-family homes to the east and west. Vacant undeveloped ground is located to the north and south. An additional single-family home will be compatible to the surrounding properties.

Staff does not expect the proposed rezoning to negatively affect the character of either the subject property or neighboring property.

Adverse Impacts

The proposed rezoning will not detrimentally affect the surrounding area. The RLL zoning district will allow a single-family home to be constructed, which is similar to the existing character of the immediate area and the large single-family tracts along Lee's Summit Rd.

Public Services

No public sanitary sewer service is available. The site would need to have an on-site sanitary sewer system approved through Jackson County Public Works department. Public water service is available on the south side of NW Anderson Drive.

Recommendation

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

7. Recommended Conditions of Approval

Standard Conditions of Approval

1. A minor plat shall be required to be approved and recorded prior to the issuance of a building permit.
2. Upon approval of the proposed rezoning from AG to RLL, 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.
3. A floodplain permit shall be obtained, prior to any work within the floodplain, if required. This will be determined at time of application for a building permit and will depend on the location of the proposed building.
4. An appropriate on-site sanitary sewer system shall be permitted through Jackson County prior to approval of a building permit. Copy of the permit shall be provided to the City at the time of a building permit application.