



**LEE'S SUMMIT**  
MISSOURI  
Development Services Department

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## Development Services Staff Report

<b>File Number</b>	PL2020-210
<b>File Name</b>	REZONING from AG to R-1 & RP-4 and PRELIMINARY DEVELOPMENT PLAN - Stag's Field
<b>Applicant</b>	Stag Commercial
<b>Property Address</b>	1215 NE Bowlin Rd.
<b>Planning Commission Date Heard by</b>	September 24, 2020 Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Planner
<b>Checked By</b>	Hector Soto, Jr., AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

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### Public Notification

Pre-application held: February 11, 2020, and June 23, 2020  
Neighborhood meeting conducted: August 27, 2020 (via Zoom); September 9, 2020 (in-person); and September 17, 2020 (via Zoom)  
Newspaper notification published on: September 5, 2020  
Radius notices mailed to properties within 300 feet on: September 4, 2020  
Site posted notice on: September 5, 2020

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### Table of Contents

1. Project Data and Facts	2
2. Land Use	3
3. Project Proposal	4
4. Unified Development Ordinance (UDO)	6
5. Comprehensive Plan	6
6. Analysis	7
7. Recommended Conditions of Approval	10

### Attachments

Transportation Impact Analysis prepared by Michael Park, dated September 16, 2020 – 3 pages

- Traffic Study submitted by Trans Systems, dated August 21, 2020 – 13 pages
- Preliminary Stormwater Management by Schlagel, dated August 21, 2020 – 14 pages
- Sanitary Sewer Study by Schlagel, dated August 21, 2020 – 11 pages
- Preliminary Development Plan, date stamped August 24, 2020 – 7 pages
- Architectural Plan, date stamped August 18, 2020 – 12 pages
- Modification Request Letter, dated August 24, 2020 – 1 page
- Location Map

### 1. Project Data and Facts

Project Data	
<b>Applicant/Status</b>	Stag Commercial/Developer
<b>Applicant’s Representative</b>	Kevin Tubbesing
<b>Location of Property</b>	1215 NE Bowlin Rd.
<b>Size of Property</b>	±26.06 acres (RP-4) ±8.76 acres (R-1) <b>±34.82 total acres</b>
<b>Number of Lots</b>	1 - multi-family lot (RP-4) 16 - single-family lots (R-1) <b>17 total lots + 2 common area tracts</b>
<b>Dwelling Units</b>	356 – multi-family units (RP-4) 16 – single-family residences (R-1) <b>372 total dwelling units</b>
<b>Density (Proposed)</b>	13.7 units per acre - multi-family (RP-4) 1.8 units per acre - single-family (R-1) <b>10.7 units per acre - overall project density</b>
<b>Zoning (Existing)</b>	AG (Agricultural District)
<b>Zoning (Proposed)</b>	R-1 (Single-Family Residential District) RP-4 (Planned Apartment Residential District)
<b>Comprehensive Plan Designation</b>	Medium/High-density Residential Commercial (Office/Retail)
<b>Procedure</b>	<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 rezoning and preliminary development plan.</p> <p><b>Duration of Validity:</b> Rezoning approval by the City Council shall be valid upon approval and has no duration period associated.</p> <p>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</p>

	development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.
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<b>Current Land Use</b>
The 35-acre property is currently unplatted and zoned AG. A modest brick ranch home and large barn are located in the southeast corner of the subject property.

<b>Description of Applicant’s Request</b>
The applicant is seeking approval of a preliminary development plan and rezoning for a 16-lot single-family residential subdivision and a 356-unit apartment development. The applicant seeks modifications to the minimum landscaping size requirements; a modification to the allowed RP-4 density; and a modification to the minimum lot size.

## 2. Land Use

<b>Description and Character of Surrounding Area</b>
The property to the north and east is zoned R-1 and AG, respectively, and is the site of Fleming Park, owned by the United States Army Corps of Engineers. The property to the south, the Monticello single-family residential subdivision, is zoned R-1. The property to the west, Executive Lakes Center, is zoned CP-2 and is comprised of office and other similar uses.

### Adjacent Land Uses and Zoning

<b>North:</b>	R-1 (Single-Family Residential)—Fleming Park
<b>South:</b>	R-1 (Single-Family Residential)—Monticello single-family residential subdivision
<b>East:</b>	AG (Agricultural)—Fleming Park
<b>West:</b>	CP-2 (Planned Community Commercial) Executive Lakes Center and Executive Lakes Business Center commercial subdivisions

<b>Site Characteristics</b>
The site consists of a rectangular shaped lot bordered by Fleming Park on the north (across NE Bowlin Rd) and east (across NE Jamestown Rd) sides. Single-family residential and commercial/office development border the subject property to the south and west, respectively. The sole access for the proposed multi-family will be from NE Bowlin Rd. The single-family homes will be accessed from NE Jamestown Rd.

<b>Special Considerations</b>
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The subject property generally slopes from the south to the north. There are topographical limitations with the eastern third of the property bisected from the north to the south by a moderate draw.



### 3. Project Proposal

#### Site Design

Land Use	
R-1 (Single-Family Residential District)	8.76 acres (381,585.60 S.F.)
RP-4 (Planned Apartment Residential District)	26.06 acres (1,135,173.60 S.F.)
<b>TOTAL</b>	<b>34.82 acres (1,516,759.20 S.F.)</b>

Land Area - RP-4 (Planned Apartment Residential District)	
Impervious Coverage:	74.3%
Pervious:	25.7%
<b>TOTAL</b>	<b>100%</b>

#### Density

Proposed		UDO Maximum
R-1 (Single-Family Residential District)	1.8 units/acre	4.0 units/acre
RP-4 (Planned Apartment Residential)	13.7 units/acre*	12.0 units/acre

\*requires modification

#### Parking

Proposed	Required
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**#PL2020-210**

Planning Commission Hearing Date / September 24, 2020

Page 5 of 12

Total parking spaces proposed:	947	Total parking spaces required:	731
Accessible spaces proposed:	18	Accessible spaces required:	8
Parking Reduction requested?	No	Off-site Parking requested?	No

**Setbacks**

<b>R-1 (Single-Family Residential District)</b>		
<b>Yard</b>	<b>Building</b>	<b>Building Proposed</b>
Front	30'	30'
Side	7.5'	7.5'
Rear	30'	30'

<b>RP-4 (Planned Apartment Residential District)</b>		
<b>Yard</b>	<b>Building / Parking Required</b>	<b>Building / Parking Proposed</b>
Front	50' (Building) / 20' (Parking)	60' (Building) / 20' (Parking)
Side	10' (Building) / 20' (Parking)	30' (Building) / 20' (Parking)
Rear	20' (Building) / 20' (Parking)	30' (Building) / 20' (Parking)

**Apartment Structure(s) Design**

<b>Number and Proposed Use of Buildings</b>	
24 multi-family buildings and 1 clubhouse	
<b>Building Height</b>	
29'-7 3/4" (clubhouse)	
42'-9 3/8" (2-story multi-family building)	
50'-0" (4-story multi-family building)	
<b>Number of Stories</b>	
2-4 stories (multi-family buildings)	
1 story (clubhouse)	
<b>Building Type</b>	
Type I Apartment Unit (2 story)	17 Buildings
Type II Apartment Unit (2 story)	6 Buildings
Type III Apartment Unit (4 story)	1 Building
Clubhouse (1 story)	1 Building
<b>Unit Type</b>	
Studio	8 units
1 Bedroom	103 units
2 Bedroom	211 units
3 Bedroom	34 units
<b>Total</b>	<b>356 units</b>

**Amenities**

Proposed apartment amenities include a fitness center; dog wash area; a party room; clubhouse with a hearth room; sport court; a zero entry pool with spa; and kids pool.

#### 4. Unified Development Ordinance (UDO)

Section	Description
2.240,2.250,2.60,2.300	Rezoning with preliminary development plan
4.090	R-1 Single-Family Residential District
4.130	RP-4 Planned Apartment Residential District
7.120	Subdivision approval; preliminary development plan as substitute for preliminary plat
7.060	Modifications

#### 5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.2 Objective 1.3 Objective 1.4
Residential Development	Objective 3.2 Objective 3.3 Objective 3.4

#### 2005 Lee's Summit Comprehensive Plan Land Use Map

The subject property is identified on the 2005 Lee's Summit Comprehensive Plan Land Use Map as being a mix of medium/ high density residential and Commercial (Office/Retail).



## 6. Analysis

### Background and History

- September 7, 2017 - City Council remanded back to Planning Commission, for further consideration, application #PL2017-094 – Rezoning from AG to RP-4 and CP-2 and Preliminary Development Plan for West Ridge at the Lake. On October 16, 2018, City staff received notification from the applicant that the application was withdrawn.

### Analysis of Rezoning

The proposal is to rezone 34.82 acres from AG (Agricultural) to R-1 (Single-Family Residential) and RP-4 (Planned Apartment Residential District). The proposed subdivision will be a two-phase development composed of 16 single-family lots, one (1) multi-family lot and two (2) common area tracts. All site development is tied to an approved plan. Any significant deviation from an approved plan, as defined by the UDO, requires a new preliminary development plan approval, inclusive of new public hearings.

### Compatibility

The southeast quadrant of the I-470/Bowlin Rd intersection is generally characterized as a transition area. Typical of an interstate interchange, commercial uses anchor the southwest and southeast corner of I-470 and Lakewood Blvd/Bowlin Rd. The abutting development between I-470 and the subject project site is primarily composed of service and office uses. To the south, the area transitions to

traditional single-family residential development. To the east, the area transitions to Fleming Park. This transition of uses from commercial development near the interstate, to the proposed multi-family development, to single-family residential and parkland follows good planning principles of buffering land uses of various intensities.

### **Adverse Impacts**

The proposed apartment development will not detrimentally affect the surrounding area. The buildings are situated with the two-story buildings located along the property lines in an effort to a softer transition to the four-story apartment structures internal to the site. The proposed single-family subdivision along NE Jamestown was a result of the conversations with neighboring property owners and their desire for a development similar to the existing single-family homes of the Monticello residential subdivision.

The proposed development is not expected to create excessive noise and air pollution. The proposed development will not create excessive storm water runoff. Stormwater will be managed on-site by the construction of two detention ponds adjacent to the northern property line.

### **Public Services**

The proposed apartment development will tie into and extend certain existing water, sanitary sewer, stormwater and street infrastructure. The existing 8-inch waterline on NE Bowlin Road will need to be extended around the perimeter of the project along NE Bowlin Road and NE Jamestown Dr and connect to the existing 8-inch waterline on NE Jamestown Drive in order to complete the waterline loop and to have adequate fire flow protection. An off-site sanitary sewer will need to be constructed from the development to the existing 12-inch LBVSD (Little Blue Valley Sewer District) trunk sewer connection point located to the northeast on the US Army Corp property (Fleming Park).

The development incorporates adequate ingress and egress and an internal drive network to mitigate traffic congestion. Two driveways along NE Bowlin Rd serve as the only points of access for the apartments. The single-family residential component will be access via a future public street cul-de-sac off NE Jamestown Dr.

The City Traffic engineer recommends road improvements to NE Bowlin Rd, NE Jamestown Dr and southbound turn lane improvements at the southbound I-470 ramp intersection with Lakewood Blvd in order to mitigate the added impact of the development on the street network. Please see the accompanying Transportation Impact Analysis for a description of the recommended improvements.

### **Unified Development Ordinance**

The requested R-1 (Single-family Residential District) provides for low-density, single-family detached residential development. The R-1 density supports the goal of the Lee's Summit Comprehensive Plan in providing single-family densities at a maximum of four units per gross acre in close proximity to existing urban development.

The requested RP-4 (Planned Apartment Residential District) was 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.



Both zoning districts are designed for areas served by publicly provided sanitary sewer. Should the requested rezoning, preliminary development plan and related modifications be granted, the proposed development would satisfy the requirements of the UDO.

**Modifications**

**Density and Minimum Lot Size.** Modifications requested. **Staff supports the requested modifications.**

- Required – 12 dwelling units per acre maximum in the RP-4 district; and minimum 3,500 sq. ft. lot size per dwelling unit
- Proposed – 13.7 dwelling units per acre; and 3,200 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 community.
  1. Modification from UDO Sec. 6.030 Table 6-2 Density to allow 13.7 units to the acre instead of 12 units to the acre.
  2. Modification from UDO Sec. 6.030 Table 6-2 Minimum Lot Size to allow 3,200 s.f. per unit instead of 3,500 s.f. per unit.

The requested density for the apartment development is lower than recently approved apartment complexes, most comparable to the Village at View High Apartments and Residences at New Longview. The table below compares the proposed density with that of other similar developments recently approved.

Project Name	Total Number of Units	Lot Acreage	Density
Village at View High Apartments	312	21.3	14.6 units/acre
Residences at New Longview	309	15.5	19.9 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 (proposed)	250	6.9	36.2 units/acre
Streets of West Pryor Senior Living (proposed)	165	6.8	24.2 units/acre
Aria	480	61.9	21.3 units/acre

**Landscaping, Caliper Size.** Modification requested. **Staff supports the requested modifications.**

- Required – Section 8.750 of the UDO requires a minimum of 3-inch caliper, measured at a point 6 inches above the ground or top of the root ball, at planting.

- Proposed – The applicant has requested two modifications to this requirement: (1) a minimum 2.5-inch caliper for shade trees; and (2) a minimum 2-inch caliper for ornamental trees.
- Recommendation – Staff supports the 2.5-inch caliper for the shade trees and 2.0-inch caliper for ornamental trees. Best practices for landscaping indicate that the proposed smaller sizes of trees are more adaptable and have a higher rate of survival than larger trees. Staff intends to include changes to the minimum tree size requirements as part of a future UDO amendment. A modification for this size requirement was approved as part of the original preliminary development plan under the same rationale.

**Landscaping, Height.** Modification requested. **Staff supports the requested modification.**

- Required – Section 8.750 of the UDO requires a minimum height of 8 feet at planting for evergreen trees.
- Proposed – The applicant has requested a modification of 3’ to allow for a minimum height of 5’ for evergreen trees.
- Recommendation – Staff supports the requested modification of 3’ to allow for a minimum height of 5’ at planting for the evergreen trees on Lots 2, 3, and 4. As is the case in the previous modification request above, best practices for landscaping indicate that the proposed shorter (smaller) evergreen trees are more adaptable and have a higher rate of survival than larger trees. Staff intends to include changes to the minimum tree size requirements as part of a future UDO amendment. A modification for this size requirement was approved as part of the original preliminary development plan under the same rationale.

**High-impact Landscape Buffer – fence location.** Modification requested. **Staff supports the requested modification.**

- Required – The 6’ fence or wall is required to be centered within the 20’-wide high-impact landscape buffer located along the property line.
- Proposed – The 6’ fence will be located on the property line.
- Recommendation – Placing the fence on the property line allows all of the landscaping to be placed on the apartment side of the site and thus facilitates maintenance of the landscaping. It is also staff’s understanding that the placement issue has been discussed with surrounding residents without any objection.

**Recommendation**

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

## 7. Recommended Conditions of Approval

### Site Specific

1. A modification shall be granted to the maximum density of 12 units per acre in the RP-4 district, to allow a density of 13.7 units per acre in the RP-4 district.

2. A modification shall be granted to the minimum lot size of 3,500 sq. ft. per dwelling unit in the RP-4 district, to allow a minimum lot size of 3,200 sq. ft. per dwelling unit in the RP-4 district.
3. A modification shall be granted to the minimum 3-inch caliper size for deciduous trees, to allow 2.5-inch deciduous shade trees and 2-inch deciduous ornamental trees.
4. A modification shall be granted to the minimum 8-foot height for evergreen trees, to allow 6-foot evergreen trees.
5. A modification shall be granted to the requirement that the fence in a high-impact landscape buffer be located 10 feet from the property line (i.e., centered within the 20-foot landscape buffer), to allow the fence to be located on the property line.
6. Site development and architectural elevations shall be in accordance with plans and specifications submitted to and on file in the Development Services Department dated August 24, 2020 and August 18, 2020.
7. The Developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, water, sanitary and the traffic-related improvements included in the revised Transportation Impact Analysis (TIA) dated September 16, 2020. No building permits shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office. All required public improvements, not future improvements, shall be substantially complete prior to any occupancy.

### **Standard Conditions of Approval**

8. Revise the Preliminary Stormwater Management Study to reflect the requirements of APWA Section 5601.5.A.4.a, Default Strategy – Comprehensive Protection, with release rates as indicated in Section 5608.4.C.1. This is required for each of the three release points. There appears to be sufficient area to revise the detention basin, if required, due to the change to the Comprehensive Protection method. These revisions will be required with the Final Development Plan submittal.
9. The sanitary main line along NE Bowlin Rd shall be private, since it only serves the proposed development. Revise the alignment to be out of the right-of-way or public easement on the Final Development Plan submittal.
10. The required 5' sidewalk shall be extended parallel to NE Bowlin Rd to the western plat boundary.
11. 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 and/or approved prior to the approval of the final plat. All public infrastructure must be substantially complete, prior to the issuance of any building permits and/or certificates of occupancy.
12. 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 Phase 2 single-family residential portion 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.

13. 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).
14. 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 Phase 2 single-family residential portion of the development.
15. 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.
16. Certain aspects of the development plan will be further reviewed during the Final Development Plan phase of the project. This includes detailed aspects of the design to help ensure that the plan meets the design criteria and specifications contained in the Design and Construction Manual.
17. Upon approval of the proposed rezoning from AG to RP-4 and R1, 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.
18. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
19. All ADA sidewalk ramps and sidewalks adjacent to a common area tract, unplatted land or any land where no structure is intended to be built, and is required, shall be constructed by the developer.
20. Trash enclosure shall be constructed of masonry walls or steel architecturally designed walls with either a solid steel opaque gate painted to be compatible with the color of the masonry or steel walls and building it is to serve or a steel framed semi-opaque gate with a screen mesh material approved by the Director that provides an appropriate visual barrier.
21. The required high impact screening buffer fence shall be constructed of a six-foot high masonry wall or opaque vinyl fence in accordance with the UDO.
22. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.
23. A final plat shall be approved and recorded prior to any building permits being issued.