



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

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## Development Services Staff Report

<b>File Number</b>	PL2020-240
<b>File Name</b>	REZONING from AG to RLL– Pine Tree Farm Estates
<b>Applicant</b>	Keith Foster
<b>Property Address</b>	1050 NE Todd George Rd
<b>Planning Commission Date</b>	October 22, 2020
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	Hector Soto, Jr., AICP, Planning Manager
<b>Checked By</b>	Kent D. Monter, PE, Development Engineering Manager

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### Public Notification

Pre-application held: April 15, 2015 and July 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 January 31, 2021, 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: October 3, 2020

Radius notices mailed to properties within 300 feet on: October 6, 2020

Site posted notice on: October 2, 2020

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**Attachments**

Transportation Impact Analysis, date stamped October 14, 2020

Rezoning Exhibit and Legal Description

Single-Family Residential Compatibility Form – 3 pages

Location Map

**1. Project Data and Facts**

<b>Project Data</b>	
<b>Applicant/Status</b>	Keith Foster / Property Owner
<b>Applicant’s Representative</b>	N/A
<b>Location of Property</b>	1050 NE Todd George Rd
<b>Size of Property</b>	± 7.8 acres
<b>Current Zoning</b>	AG (Agricultural)
<b>Proposed Zoning</b>	RLL (Residential Large Lot)
<b>Comprehensive Plan Designation</b>	Low-Density Residential
<b>Procedure</b>	<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><b>Duration of Validity:</b> 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>

<b>Current Land Use</b>
The property is a 7.8-acre vacant parcel located at the southwest corner of NE Scruggs Rd and NE Todd George Rd. The subject property is the former site of a tree farm.

<b>Description of Applicant’s Request</b>
<p>The applicant seeks approval of a rezoning from AG (Agricultural) to RLL (Residential Large Lot) for property located at 1050 NE Todd George Rd. The 7.8-acre parcel is located at the southwest corner of NE Scruggs Rd and NE Todd George Rd. The intent of the rezoning is to allow for the future construction of a 6-lot single-family residential subdivision.</p> <p>The UDO does not require submittal of a preliminary plat application at the same time as an application for a rezoning to RLL. The scope of the subject application is limited to a land use consideration regarding the appropriateness of the proposed single-family, RLL residential zoning of the subject property. The subdivision layout and associated engineering aspects are evaluated and considered at the platting stage under a separate future application.</p>

## 2. Land Use

Description and Character of Surrounding Area
The subject property lies in a transition area between rural-like large lot single-family homes (to the north and east) and typical single-family residential subdivision development (to the south and west). The subject property abuts the Foxwoods East and North Park Village subdivisions on the west and south, respectively.

### Adjacent Land Uses and Zoning

<b>North (across NE Scruggs Rd):</b>	Large acreage single-family home / AG
<b>South:</b>	North Park Village single-family residential subdivision / R-1
<b>East (across NE Todd George Rd):</b>	Large acreage single-family home / AG
<b>West:</b>	Foxwoods East single-family residential subdivision / R-1

Site Characteristics
The property generally slopes from both the west and east toward the middle where there is an existing pond. The site is bordered by NE Scruggs Rd to the north and NE Todd George Rd to the east. Additional street frontage is provided to the site via NE Bluff St and NE Brookfield Dr through the abutting subdivisions. It should be noted that no access is allowed onto NE Scruggs Rd from the subject property.

Special Considerations
N/A

## 3. 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 residential subdivision. The subdivision layout and associated engineering aspects will be evaluated and considered at the platting stage under a separate future application.

## 4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies

Overall Area Land Use	Objective 1.1 Objective 1.3 Objective 1.4
Residential Development	Objective 3.3

**Comprehensive Plan**

The proposed rezoning to the RLL zoning district is consistent with the low-density residential land use recommended by the Comprehensive Plan for the area. The proposed RLL zoning district meets the objectives of the Comprehensive Plan as it is establishing a well-defined land use for the property that is consistent with the surrounding character of the neighborhood.



 Low-density Residential

**5. Analysis**

**Background**

The applicant proposes rezoning a 7.8-acre parcel from AG (Agricultural) to RLL (Residential Large Lot) for a future 6-lot single-family residential subdivision. Due to the UDO not requiring submittal of a preliminary plat application for consideration at the same time as an application for a rezoning to RLL, the subdivision layout and associated engineering aspects will be evaluated and considered under a separate future

application. The scope of the subject application is limited to a land use consideration regarding the appropriateness of the proposed single-family, RLL residential zoning of the subject property.

**Compatibility**

The 7.8-acre property abuts two standard R-1-zoned single-family residential subdivisions to the west and south. Across NE Scruggs Rd to the north and NE Todd George Rd to the east are large-acreage single-family residences. The applicant proposes to develop the subject property with a 6-lot subdivision with lot sizes ranging between 0.5 and 4.1 acres. The RLL zoning district requires a minimum 0.5-acre lot size.

**Adverse Impacts**

The proposed rezoning will not detrimentally affect the surrounding area. The nature of the residential development allowed under RLL is an appropriate and compatible transition between the large-acreage residential development north and east of the site and the traditional single-family residential development west and south of the site.

**Public Services**

The subject property has current access to public water, sanitary sewer and storm sewer. The subject property also has adequate street access. Stormwater detention requirements will be evaluated and addressed during the platting process.

**Recommendation**

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

## **6. Recommended Conditions of Approval**

### **Standard Conditions of Approval**

1. A plat shall be approved and recorded prior to the issuance of a building permit.
2. Upon approval of the proposed rezoning from AG to RLL, the applicant shall 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 City Council on November 3, 2005.