



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-315
File Name	REZONING from CP-2 to RP-4 and PRELIMINARY DEVELOPMENT PLAN – Chapel Ridge Townhomes, Phase 5
Applicant	Engineering Solutions, LLC
Property Address	3701 NE Akin Drive
Planning Commission Date	January 7, 2021
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: October 6, 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: December 19, 2020

Radius notices mailed to properties within 300 feet on: December 16, 2020

Site posted notice on: December 18, 2020

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Attachments

Transportation Impact Analysis dated December 18, 2020 - 2 pages

Overall Site Plan, dated October 23, 2020-8 pages

4-plex elevation, dated October 23, 2020

5-plex elevation, dated January 22, 2020

Storm Drainage Letter dated October 26, 2020

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions, LLC/Engineer
Applicant's Representative	Matt Schlicht/Engineer
Location of Property	3701 NE Akin Drive
Size of Property	±5.42 Acres
Existing Zoning	CP-2 (Planned Community Commercial)
Proposed Zoning	RP-4 (Planned Apartment Residential)
Number of Lots	1
Dwelling Units	16 Townhome Structures=65 Living Units 2 structures-3 plex=6 living units 11 structures-4 plex=44 living units 3 structures-5 plex=15 living units
Density	11.9 units/acre proposed 12.0 units/acre max allowed in RP-4
Comprehensive Plan Designation	Commercial (Retail/Office)
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 Planned Community Commercial (CP-2).	

Description of Applicant's Request

The applicant seeks a rezoning and preliminary development plan approval for Chapel Ridge Townhomes, Phase 5. The plan proposes sixteen (16) townhome structures, with each of them having anywhere from three to five living units, bringing the total to sixty-five (65) living units.

2. Land Use

Description and Character of Surrounding Area



The property is a vacant parcel of land located on the southeast corner of NE Akin Dr and NE Akin Cir. The abutting properties to the northeast and south are office uses. The businesses along NE Ralph Powell Road are made up of office and retail uses. The neighborhood to the west is comprised of the initial Chapel Ridge townhomes phase.

Adjacent Land Uses and Zoning

North (across NE Akin Dr and	Commercial development with a mix of fast food restaurants, grocery store, and offices/CP-2
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NE Ralph Powell Rd):	
South:	Commercial development with offices/CP-2
East:	Commercial development with offices/CP-2
West:	Chapel Ridge Townhomes/RP-4

Site Characteristics
There is not a lot of change in the topography for this vacant parcel. There is a downward slope from south to north.

3. Project Proposal

Setbacks (Perimeter)

Yard	Building Required	Building Proposed
Front	20'	20'
Side	10' from lot line 20' for building separation	21' from lot line 20' for building separation
Rear	20'	35'

Yard	Parking Required	Parking Proposed
Front	20' Parking	22' Parking
Side	6' Parking	21' Parking
Rear	6' Parking	70' Parking

Structure(s) Design

Number and Proposed Use of Buildings
16 townhome structures-65 living units
Building Height
50' max per UDO standards
Number of Stories
2

4. Unified Development Ordinance (UDO)

Section	Description
4.130	RP-4 (Planned Apartment Residential)
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
8.500	Parking
8.700	Landscaping

Unified Development Ordinance

The proposed use follows Sec. 4.130 of the UDO for the RP-4 zoning district, which 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.” The proposed sixteen (16) townhome structures with a total of sixty-five (65) living units and density of 11.99 units per acre complies with maximum allowable density of 12 units per acre in the RP-4 district.

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 Objective 3.4
Community for All Ages	Housing Component Goal

Comprehensive Plan

The Comprehensive Plan has the area designated as office/retail. The subject site is not conducive for retail because of its limited visibility as a second tier property, though an office use would be viable at this location. However, the proposed multi-family development is a compatible land use with the existing townhome development and apartment complex to the west and southwest, respectively, and provides a diverse housing type that meets an identified need in the market. It was stated in the Lee’s Summit Community for All Ages plan that the number of aging adults is increasing, while family sizes are decreasing. It is important for the City to offer a diversified housing types so that we can keep or draw aging adults into our community and accommodate changing lifestyle and housing preferences of the population as a whole. These new townhomes supports the Community for All Ages Plan Housing Component Goal of encouraging development for a more diversified housing stock for residents.

6. Analysis

Background and History

The proposed rezoning and preliminary development plan is for the construction of sixteen (16) townhome structures with sixty-five (65) living units for a fifth phase of Chapel Ridge Townhomes. The subject property is a vacant 5.42 acres.

- August 3, 2006 – City Council approved final plat for *Chapel Ridge Business Park Lots 10-18 and Tracts H-K* (Appl. #2006-113) by Ordinance No. 6239.
- December 20, 2016 – A minor plat was approved for *Chapel Ridge Business Park Lots 14A and 15A* (Appl. #2016-208). The plat was recorded at the Jackson County Recorder of Deeds by Document #2016E0119794.
- February 14, 2017 – A minor plat was approved for *Chapel Ridge Business Park Lots 15B and 15C* (Appl. #2017-008). The plat was recorded at the Jackson County Recorder of Deeds by Document #2017E0013748.

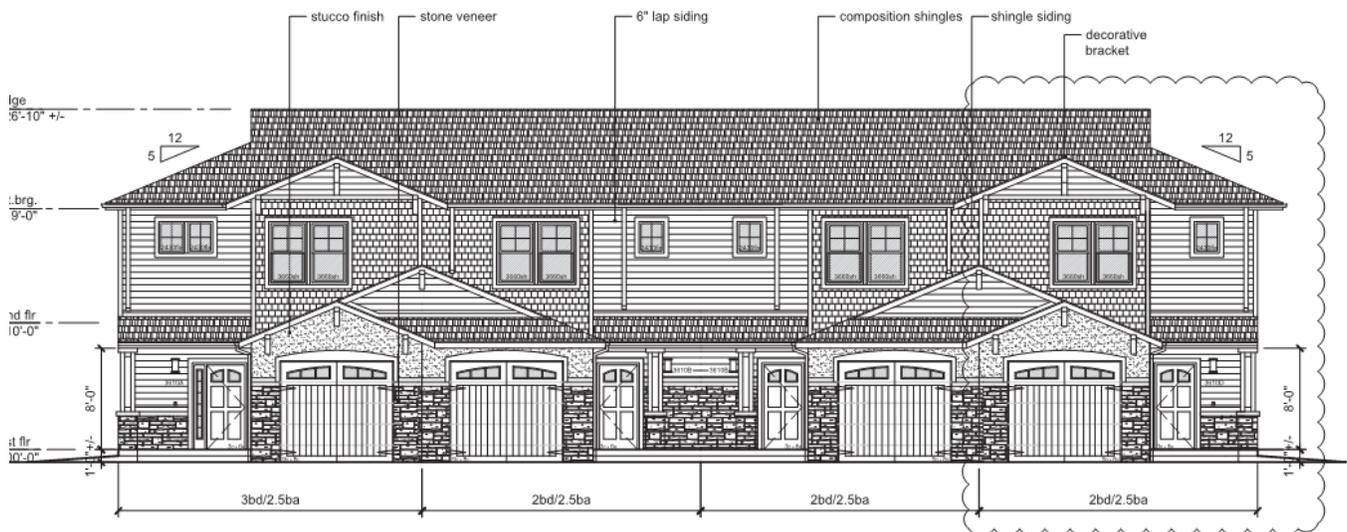
Analysis of Rezoning

The proposal to rezone approximately 5.42 acres from CP-2 to RP-4 will help meet the housing demands that were found in the 2017 Housing Needs Assessment. As mentioned, the site is not conducive for retail because of its limited visibility as a second tier property. An office would be feasible at this location. However, the proposed multi-family development is a compatible land use with the existing townhome development and apartment complex to the west and southwest.

Compatibility

The proposed subdivision is consistent with the neighboring Chapel Ridge Townhomes to the west. The proposed townhomes will be identical to the existing Chapel Ridge Townhomes. They will be a maximum height of 2-stories and the materials include stone veneer, stucco, lap siding, accent shingle siding and composition roofing. The color picture below is an example of the existing townhomes and the black and white elevation is a sketch of the new townhomes.





Adverse Impacts

The proposed multi-family development will not detrimentally impact the surrounding area. The buildings are designed and located to be compatible with neighboring properties to the west and should enhance the area.

Public Services

The proposed development will tie into the existing water, sanitary sewer, and street infrastructure. The stormwater for this site is managed by a regional detention facility located on the north side of Woods Chapel Rd. The existing stormwater detention facility is already in conformance with City standards and therefore does not require any improvements.

The proposed development will not likely generate more than 100 peak hour trips, which is considered a minimum condition of the Access Management Code for Traffic Impact Studies.

Modifications

Landscape Buffer. Modification requested.

- Required - a high impact buffer composed of a 6-foot high masonry wall or opaque vinyl fence plus low-impact landscaping planted on both sides of the fence is required between the two land uses, RP-4 and CP-2.
- Proposed - medium-impact landscaping with no wall or fence between the proposed development and abutting commercial land uses
- Recommended - Staff supports the request to increase the amount of required landscaping materials but eliminating the requirement for the wall or fence. Understanding that the residential development is being constructed after the already established commercial businesses, prospective residents are aware of the surrounding environment.

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 requirement for a high-impact landscape buffer between the proposed RP-4 property and the abutting CP-2 property to the east and south, to allow a medium-impact landscape buffer.
2. Development shall be in accordance with the preliminary development plan dated October 23, 2020.
3. The architectural style and building materials for the multi-family townhomes shall be consistent with the building elevations; 4-plex elevation, dated October 23, 2020 and 5-plex elevation dated January 22, 2020. The 3-plexes will follow the architectural style and materials depicted in the elevations for the 4- and 5-plexes.

Standard Conditions of Approval

4. The City does not use radius dimensions for locating fire hydrants. Please note that proper fire hydrant spacing, meeting the requirements of the City's Design and Construction Manual, will be required with the Final Development Plan (FDP).
5. 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.
6. 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 site development permits or the start of construction (excluding land disturbance permit).
7. 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.
8. 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.
9. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.

10. All ADA sidewalk ramps shall be constructed by the developer at the time the street is constructed.
11. All 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 at the time the street is constructed.
12. A final plat shall be approved and recorded prior to any building permits being issued.
13. 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 to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code.