

City of Lee's Summit

Development Services Department

June 22, 2018

TO: Planning Commission

PREPARED BY: Jennifer Thompson, Planner

CHECKED BY: Hector Soto, Jr., AICP, Current Planning Manager

RE: **PUBLIC HEARING – Appl. #PL2018-093 – PRELIMINARY DEVELOPMENT PLAN – Hearne's Addition, Lots 18A, 18B, and 18C, located at the SW corner of NE Main St and NW Orchard St; Dymon Wood, applicant**

Commentary

This application is to request approval for the development of three (3) single-family residences in the RP-2 (Planned Two-family Residential) district located at the SW corner of NE Main Street and NW Orchard Street. The property is currently an undeveloped lot platted as *Lot 18, Hearne's Addition*.

Prior to the submittal of the preliminary development plan, and as directed by staff, a minor plat was submitted for administrative review for the subdivision of the property into three (3) lots. Upon the conclusion of staff's review and approval of the minor plat, but prior to recording, it was determined that a preliminary development plan is required for any development of vacant land in the RP-2 zoning district (per Article 4, Section 4.300 of the Unified Development Ordinance). The preliminary development plan application was subsequently submitted and is now presented for consideration.

The proposed single-family homes will be located on the proposed *Lots 18A, 18B, and 18C, Hearne's Addition*. The RP-2 zoning district standards, as defined in the Unified Development Ordinance, will apply to the residential lots. The placement and layout of the structure will be evaluated and approved at the time of the plot plan submittal. Proposed elevation and design concepts have been included as part of this preliminary development plan.

The City Traffic Engineer has evaluated the application and determined that the proposed development of three (3) single-family homes does not negatively impact the site or surrounding neighborhood from a traffic perspective, therefore no Transportation Impact Analysis was prepared for this application.

Recommendation

Staff recommends APPROVAL of the preliminary development plan.

Zoning and Land Use Information

Location: SW corner of NE Main St. and NW Orchard St. Current Zoning: RP-2 (Planned Two-family Residential District) Surrounding zoning and use: North (across NW Orchard St): RP-2 (Planned Two-family Residential) — vacant ground and single-family residential South: RP-2 (Planned Two-family Residential) — single-family residential

East (across NW Orchard St): RP-2 (Planned Two-family Residential) — single-family residential

West: RP-2 (Planned Two-family Residential — single-family residential

Site Characteristics. The property is an undeveloped, platted lot, approximately 0.94 acres, located on the southwest corner of NW Orchard St. and NE Main St.

Description and Character of Surrounding Area. The subject property is located at 1 NW Orchard St. and has remained a vacant lot within the Old Lee's Summit Neighborhood. The property to the north, south, east, and west are zoned RP-2 and are developed primarily as single-family homes, with the exception of the property to the north which is currently a vacant lot.

Project Information

Current Use: vacant property

Proposed Use: three (3) single family homes

Land Area: 41,161 sq. ft.; 0.94 acres

Public Notification

Neighborhood meeting conducted: n/a

Newspaper notification published: June 9, 2018

Radius notices mailed to properties within 185 feet: June 8, 2018

Process

Procedure: The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan. The City Council takes final action on the preliminary development plan application.

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.

Unified Development Ordinance

Applicable Section(s)	Description
4.300, 4.310, 4.320	Preliminary Development Plan
5.110	Zoning Districts

Background

- March 16, 1887 – The plat for *Hearne's Addition* was established.
- February 14, 2018 – A minor plat (Appl. #PL2018-016) was submitted for City staff review for *Hearne's Addition, Lots 18A, 18B, and 18C* (the plat has not been recorded at Jackson County Recorder's Office at this time).
- April 12, 2018 – The City Council approved a Development Agreement for Sidewalk Improvement Obligations relating to the Plat *Hearne's Addition, Lots 18A, 18B, and 18C*, by

Ord. No. 8378. The Development Agreement was recorded at Jackson County Recorder Office on April 17, 2018 by Instrument Number: 208E0032619.

Analysis of the Preliminary Development Plan

Sidewalk construction.

- Required – Construction of a sidewalk is required adjacent to the buildable lots. Sidewalks shall be constructed by the builder prior to occupancy of any structure on said lots.
- Action Taken –The City and the developer have agreed to enter into a development agreement to satisfy certain provisions of the Unified Development Ordinance and Design and Construction Manual to allow the developer to make a payment in lieu of constructing the required sidewalk improvements along NW Orchard. This agreement was executed on April 12, 2018. The City is not requesting sidewalk improvements be installed along the west side of NE Main Street as it is anticipated that any future sidewalk along NE Main St. would be located on the east side of the street, due to an existing 8-inch public water line located on the west side of NE Main St.
- Recommendation – Staff agreed with this course of action as it's acknowledged that the sidewalk improvements are premature for this area, considered extraordinary for the unimproved road conditions, and conceivably will be removed by a future undetermined Capital Improvement Plan (CIP) project in which any constructed sidewalk would be replaced in conjunction with other infrastructure improvements. The developer agreed to make payment in lieu of said public sidewalk improvements for an estimated cost of construction. The City will allocate these funds for public sidewalk improvements. Payment by the developer will fulfill the intent of the sidewalk obligations for the development.

Old Lee's Summit Development Master Plan

The property is located within the Old Lee's Summit Neighborhood as defined by the *Old Lee's Summit Development Master Plan* (2004). The plan identifies this property as a location for "Residential Infill Opportunities". The study recommends increasing the housing stock within the Old Lee's Summit Neighborhood and suggests this could be accomplished with a variety of housing types including single-family and entry-level products. The proposal for the additional single-family homes in this area aligns with the vision of this master plan.

Code and Ordinance Requirements

The items in the box below are specific to this development and must be satisfactorily addressed in order to bring the plan into compliance with the Codes and Ordinances of the City.

Planning

1. A minor plat shall be approved and recorded prior to any building permits being issued.

Attachments:

1. Minor Plat, date stamped June 1, 2018 – 1 page
2. Elevations, date stamped June 1, 2018 – 5 pages
3. Ordinance approving the Development Agreement – 2 pages
4. Executed Development Agreement – 12 pages
5. Location Map