

City of Lee's Summit

Development Services Department

May 3, 2019

TO: Planning Commission
PREPARED BY: Hector Soto, Jr., AICP, Planning Manager
CHECKED BY: Kent D. Monter, P.E., Development Engineering Manager
RE: **CONTINUED PUBLIC HEARING – Appl. #PL2018-101 – REZONING from PI and PMIX to PMIX and PRELIMINARY DEVELOPMENT PLAN – Woodland Glen, approximately 24 acres located at the northeast corner of SW Ward Rd and SW Scherer Rd; John Duggan, applicant**

Commentary

Woodland Glen was originally approved in 2000 as a planned unit development (PUD), the precursor to what is now known as the Planned Mixed Use (PMIX) zone. The original plan was for a residential development composed of single-family estates, detached single-family villas, attached single-family villas and condos/flats (apartments) totaling 194 dwelling units on approximately 60 acres. Approximately 36 acres consisting of 34 single-family estate lots and 53 detached single-family villa lots have been platted to date.

The applicant proposes to rezone 5.38 acres from PI (Planned Industrial) and PMIX (Planned Mixed Use) to PMIX in order to match the existing PMIX zoning of the remainder of the Woodland Glen development. The subject PI-zoned properties were not under the control of the original developer at the time Woodland Glen was initially approved. Therefore, the properties were not rezoned nor included in the original plan at that time.

The applicant further proposes a preliminary development plan for the westernmost 24 acres of the Woodland Glen development, inclusive of the 5.38 acres proposed for rezoning. The residential development plan consists of 17 single-family estate lots and 23 two-unit villa lots. Different from the original Woodland Glen plan is that condos/flats (apartments) are no longer included in the development. As allowed under Section 7.120 of the UDO, the preliminary development plan is also serving as the preliminary plat.

The City has received protest petitions on the proposed development from current Woodland Glen residents. Staff will make a determination if a valid legal protest has been reached prior to the City Council public hearing. A valid legal protest triggers the requirement for a minimum of six (6) votes in the affirmative to approve the proposed application at the City Council level.

- 17 single-family estate lots
- 23 two-unit villa lots (46 dwelling units)
- 2.62 units/acre proposed – 3.25 units/acre density previously approved (2000 Woodland Glen plan)

Recommendation

Staff recommends **APPROVAL** of the rezoning and preliminary development plan, subject to the following:

1. The development shall be constructed in accordance with the residential uses depicted on the preliminary development plan, date stamped September 5, 2018, and architectural elevations date stamped October 3, 2018, and February 12, 2019. Development standards (e.g. setbacks, lot area, etc.) shall be as shown on the preliminary development plan.

2. Development shall be subject to the recommended road improvements outlined in the Transportation Impact Analysis prepared by Michael Park, dated October 3, 2018.

Zoning and Land Use Information

Location: approximately 24 acres located at the northeast corner of SW Ward Rd and SW Scherer Rd

Current Zoning: PI and PMIX

Proposed Zoning: PMIX

Surrounding zoning and use:

North: PI — single-family residence and City of Lee’s Summit water tower; and PMIX — existing Woodland Glen residential subdivision

South (across SW Persels Rd): R-1 (Single-family Residential) — undeveloped acreage

East: PMIX — existing Woodland Glen residential subdivision

West (across SW Ward Rd): R-1 — undeveloped acreage

Site Characteristics. The subject site is composed of multiple undeveloped parcels. The parcels are partially wooded with a fair amount of topographical change on the southern 14 acres. There are also two ponds located on the southern 14 acres.

Description and Character of Surrounding Area. The area surrounding the intersection of SW Ward Rd and SW Persels Rd is mostly undeveloped. While the Woodland Glen residential development takes up the northeast corner of the intersection, the northwest, southwest and southeast corners are primarily composed of undeveloped large acre assemblages owned by Property Reserve, Inc. Interspersed among the Property Reserve, Inc. properties on the southwest and southeast corners are single-family homes built on large acreage lots.

Project Information

Current Use: vacant, undeveloped property

Proposed Use: single-family residential and attached residential villas

Land Area: 24.04 acres

Number of Lots: 17 – single-family residential lots

23 – two-unit villa lots

40 total lots plus 4 common area tracts

Number of Dwelling Units: 17 – single-family residences

46 – villa dwelling units

63 total dwelling units

Density: 2.62 units/acre

Public Notification

Neighborhood meeting conducted: April 8, 2019

Newspaper notification published: April 20, 2019

Radius notices mailed to properties within 185 feet: April 19, 2019

Process

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

Duration of Validity: Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four 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.

Unified Development Ordinance

Applicable Section(s)	Description
2.240, 2.250, 2.260	Rezoning
2.300, 2.310, 2.320	Preliminary Development Plan
7.080, 7.100	Preliminary Plat
4.240	Zoning District Regulations

Comprehensive Plan

Focus Areas	Goals, Objectives and Policies
Overall Area Land Use	Objective 1.1 Objective 1.2 Objective 1.4
Residential Development	Objective 3.1 Objective 3.2 Objective 3.3

Background

- April 11, 2000 – The Planning Commission approved a preliminary plat (Appl. #2000-003) for *Woodland Glen, Lots 1-143*.
- May 18, 2000 – The City Council approved a rezoning (Appl. #2000-001) from R-1 (Single-family Residential) to PUD (now PMIX) and preliminary development plan (Appl. #2000-002) for Woodland Glen by Ordinance No. 4966.
- September 21, 2000 – The City Council approved the final plat (Appl. #2000-142) for *Woodland Glen, 1st Addition, Lots 1 thru 33, Blocks 1 thru 6 and Tracts A thru J* by Ordinance No. 5032.
- November 1, 2001 – The Unified Development Ordinance (UDO) went into effect. Zoning district names were retitled as part of the UDO adoption. The PUD zoning district was changed to the PMIX zoning district.
- 2003-2011 – Several minor plats for Woodland Glen were administratively approved.

- April 13, 2004 – The Planning Commission approved a preliminary plat (Appl. #2004-027) for *Woodland Glen, Block 7-14 and Tract M*, subject to the approval of the associated preliminary development plan (Appl. #2004-028).

The Planning Commission also voted to recommend approval of the preliminary development plan (Appl. #2004-028) for Woodland Glen, Block 7-14 and Tract M.

- May 6, 2004 – The applicant withdrew the applications for preliminary plat (Appl. #2004-027) and preliminary development plan (Appl. #2004-028) for Woodland Glen, Block 7-14 and Tract M.
- August 3, 2005 – The approved minor plat (Appl. #2005-209) of *Woodland Glen, Block 7* was recorded with the Jackson County Recorder of Deeds office.

Analysis of Rezoning

The applicant proposes to rezone 5.38 acres from PI and PMIX to PMIX to develop the final phases of the existing Woodland Glen residential subdivision. The final phases include single-family residential and attached two-unit residential villas.

Comprehensive Plan. The 2005 Lee’s Summit Comprehensive Plan shows the area as medium/high-density residential, transitioning to low-density residential to the east.

Surrounding Uses. The 5.38 acres proposed for rezoning primarily abut Woodland Glen property with PMIX zoning. There are also two abutting properties to the north zoned PI. One of the properties is developed as a single-family residence. The second property is the site of a City water tower.

Recommendation. Staff recommends approval of the proposed rezoning to PMIX. The proposed zoning and land uses are consistent with the zoning and land uses approved for Woodland Glen in 2000. Additionally, the proposed plan fulfills certain goals set by the Comprehensive Plan by supplying diverse housing types to meet current and future housing demand.

Analysis of Preliminary Development Plan

Original Plan. The original plan for Woodland Glen approved in 2000 encompassed 59.78 acres. The plan included a total of 194 dwelling units composed of single-family estates, single-family detached villas, single-family attached villas and flats/condos (apartments). Below is a detailed breakdown of the various residential types approved as part of the original plan.

Residential Type	Acreage	Dwelling Units	Density
Single-family Estates	17.30	45	2.60
Villas (attached)	14.13	74	5.23
Villas (detached)	6.68	19	2.84
Flats/Condos (apartments)	4.67	56	11.99
Totals	59.78	194	3.25

Approximately 36 acres constituting the eastern two-thirds of the approximately 60-acre Woodland Glen site have been developed to date. The developed area is composed of 34 single-family estate lots and 53 detached villas lots.

The approved plan established certain development standards tailored to the subdivision for each of the proposed residential types. Below is a detailed breakdown of the approved standards. Not listed in the table are the development standards for the flats/condos (apartments) because none

were constructed nor are any proposed with the new plan and thus are not relevant for comparison.

Development Standards			
	Single-family Estates	Attached Villa Lots	Detached Villa Lots
Front yard setback	25'	20'	25'
Side yard setback	8'	10'	0'
Rear yard setback	30'	20'	20'
Lot depth	110'	-	100'
Lot width	85'	-	80'
Lot area	8,050 sq. ft.	-	8,000 sq. ft.

Proposed Plan. The proposed plan covers the undeveloped 24 acres constituting the western third of the Woodland Glen site. The plan includes a total of 17 single-family lots and 23 two-unit villas (46 villa dwelling units).

Residential Type	Acreage	Dwelling Units	Density
Single-family Estates	14.12	17	1.20
Villas (attached)	9.92	46	4.64
Totals	24.04	63	2.62

Below is a breakdown of the development standards proposed for the subject preliminary development plan.

Development Standards		
	Single-family Estates	Attached Villa Lots
Front yard setback	25'	25' garage/20' living area
Side yard setback	7.5'	5'
Street side yard setback	20'	15'
Rear yard setback	20'	20'
Lot depth (typ. min.)	134'	117'
Lot width	70'	80'
Lot area (typ. min.)	10,034 sq. ft.	9,637 sq. ft.

Comparison of Plans.

Density. The information below illustrates that the proposed plan plus existing development reduces the total number of dwelling units for the Woodland Glen subdivision by 44 and reduces the density by nearly 1 dwelling unit per acre from the original plan.

	Acreage	Dwelling Units	Density
Woodland Glen – original plan	59.78	194	3.25
Woodland Glen – existing	36	87	2.42
Woodland Glen – proposed	24.04	63	2.62
Woodland Glen – existing + proposed	64	150	2.34

Residential Type and Dwelling Units. The proposed development plan for the western 24 acres is composed of two distinct areas with different housing types. Below is a comparison of the two plans for this same 24-acre area.

Dwelling Units		
Residential Type	Original Plan	Proposed Plan
Single-family Estates	21	17
Villas (attached)	15	46

Villas (detached)	5	-
Flats/Condos (apartments)	56	-
Total Dwelling Units	97	63

While the proposed plan significantly increases the number of attached villas, it reduces the number of single-family estates and completely eliminates the detached villa lots and flats/condos. This change yields an overall reduction of 34 dwelling units in the western 24 acres.

Development Standards.

	Single-family Estates – original plan	Single-family Estates – proposed plan	Attached Villa Lots – original plan	Attached Villa Lots – proposed plan
Front yard setback	25'	25'	20'	25' garage/20' living area
Side yard setback	8'	7.5'	10'	5'
Street side yard setback	-	20'	-	15'
Rear yard setback	30'	20'	20'	20'
Lot depth (typ. min.)	110'	134'	-	117'
Lot width	85'	70'	-	80'
Lot area (typ. min.)	8,050 sq. ft.	10,034 sq. ft.	-	9,637 sq. ft.

The development standards proposed with the new development plan are comparable and not out of character with the standards approved with the original plan.

Architecture. The proposed single-family homes and attached villas have similar architectural forms and building materials (stone, stucco and composition roofs) as those of existing single-family homes and detached villas in the development. Staff finds the proposed architecture and material to be compatible with existing structures.

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.

<p>Engineering</p> <ol style="list-style-type: none"> 1. 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 plat and approved prior to the approval of the final plat. All public infrastructure must be substantially complete, prior to the issuance of any building permits. 2. 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 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. 3. 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).
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4. All subdivision-related public improvements must have a Certificate of Final Acceptance prior to approval of the final plat, unless security is provided in the manner set forth in the City's Unified Development Ordinance (UDO) Section 16.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Section 1000 of the City's Design and Construction Manual.
5. 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 development.
6. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of an infrastructure permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
7. All permanent off-site easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion or approval of the final plat. A certified copy shall be submitted to the City for verification.
8. A restriction note shall be included on the final plat stating: "Individual lot owner(s) shall not change or obstruct the drainage flow paths on the lots, as shown on the Master Drainage Plan, unless specific application is made and approved by the City Engineer."
9. Any cut and / or fill operations, which cause public infrastructure to exceed the maximum / minimum depths of cover shall be mitigated by relocating the infrastructure vertically and / or horizontally to meet the specifications contained within the City's Design and Construction Manual.
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.

Fire

12. IFC 503.2.5 - Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. The proposed turnaround on SW Winthrop Terrace shall meet Public Works Design and Construction requirements.

Planning

13. Lot numbers and tract letters shall conform with the City's standard labeling conventions at the time of final plat.
14. A vacation of right-of-way application shall be submitted and approved for the portion of SW Winthrop Drive that conflicts with Lot 16 prior to the approval of a final plat for the affected area.
15. Plat boundary dimensions shall be accurately labeled and reviewed at the time of final plat.
16. The limits of Tract D granting access to the City's water tower site shall be clearly delineated at the time of final plat. Ownership and maintenance responsibilities of Tract D shall also be dedicated at the time of final plat.

17. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All proposed signs must comply with the sign requirements of Article 9 of the UDO.
18. A final plat shall be approved and recorded prior to any building permits being issued.

Attachments:

1. Transportation Impact Analysis prepared by Michael Park, dated October 3, 2018 – 3 pages
2. Rezoning exhibit and legal description, date stamped September 5, 2018
3. Preliminary Development Plan, date stamped September 5, 2018 — 3 pages, consisting of:
 - Master Plan
 - Attached Villa Site Plan
 - Landscape Plan
4. Single-family building elevations, date stamped October 3, 2018, and February 12, 2019 – 4 pages
5. Attached villa building elevations, date stamped October 3, 2018, and February 12, 2019 – 2 pages
6. Original approved Woodland Glen plan, date stamped March 22, 2000
7. Original approved Woodland Glen building elevations (attached villas and flats/condos), date stamped February 17, 2000 – 3 pages
8. Copies of the submitted protest petitions – 8 pages
9. Location Map