



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2022-185
File Name	REZONING from AG to RDR and R-1 – proposed Orchard Woods
Applicant	Entres Development, LLC
Property Address	1204 NE Woods Chapel Rd
Planning Commission Date	August 11, 2022
Heard by	Planning Commission and City Council
Analyst	Hector Soto, Jr., AICP, Senior Planner
Checked By	Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: May 4, 2021; January 4, 2022; and February 15, 2022
Neighborhood meeting conducted: June 14, 2022
Newspaper notification published on: June 23, 2022
Radius notices mailed to properties within 300 feet on: July 20, 2022
Site posted notice on: July 20, 2022

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Attachments

Rezoning Exhibit and Legal Description, dated June 27, 2022 – 3 pages
Preliminary Plat, dated July 8, 2022
Single-family Residential Compatibility Form – 3 pages
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Entres Development, LLC/Developer
Applicant's Representative	Daniel Villanueva
Location of Property	1204 NE Woods Chapel Rd
Size of Property	5.2 acres – proposed RDR zoning 13.8 acres – proposed R-1 zoning ±19.0 total acres
Number of Lots	1
Zoning (Existing)	AG (Agricultural)
Zoning (Proposed)	RDR (Rural Density Residential) and R-1 (Single-family Residential)
Comprehensive Plan Designation	Residential 1 (Lower Intensity Residential)
Procedure	The Planning Commission makes a recommendation to the City Council on the proposed rezoning. The City Council takes final action on the rezoning in the form of an ordinance. Duration of Validity: Rezoning approval by the City Council shall be valid upon approval and has no expiration. Neither a preliminary plat nor a preliminary development plan is required when rezoning to the RDR zoning district.

Current Land Use

The subject 19-acre property is currently developed with one single-family home and a cell tower facility.

Description of Applicant's Request

The applicant proposes to rezone the subject 19-acre property from AG to RDR and R-1. The southern 5.2 acres will be zoned RDR and will house the existing residence and cell tower on a single lot. The northern 13.8 acres will be zoned R-1 and is proposed to be developed with 34 single-family lots.

This application is associated with the preliminary plat (Appl. #PL2022-186) for *Orchard Woods, Lots 1-35 and Tracts A-C*, also on this agenda.

2. Land Use

Description and Character of Surrounding Area



The subject property is located at the northeast corner of NE Woods Chapel Rd (an arterial street) and NE Lakewood Way (a collector street), approximately ¼ mile east of I-470. The intersection serves as a transition point along NE Woods Chapel Rd between residential development to the east and more intense non-residential development around I-470. The intersection similarly serves as a transition point between undeveloped PRI-owned property to the south along NE Todd George Pkwy and commercial and industrial development to the north along NE Lakewood Way.

Adjacent Land Uses and Zoning

North:	Office-warehouse / PI (Planned Industrial)
South (across NE Woods Chapel Rd):	Undeveloped large acreage / AG
East:	Large acreage single-family residential / AG; and Single-family residential / R-1
West:	Church / CP-2 (Planned Community Commercial) and PI

Site Characteristics

The site is bounded by NE Lakewood Way on the west, NE Woods Chapel Rd on the south and has a street stub connection to the abutting Savannah Ridge subdivision via NE Piedmont Dr at the northeast corner. The property is heavily treed across the site. As a large lot, the property has varying topography with natural drainage patterns in different directions. Generally speaking, the property slopes from south to north. The southern half of the property has a north-south ridge that sheds water toward the west and east/northeast. The northern half of the property is bisected by a natural drainageway that flows from southeast to northwest.

Special Considerations

N/A

3. Unified Development Ordinance (UDO)

Section	Description
2.240, 2.250, 2.260	Rezoning
4.070, 4.090	Zoning Districts (RDR and R-1)

The UDO has various zoning district options to accommodate single-family residential development. However, not all options are appropriate for a particular property given site specifics and the applicant's goals. The desire for RDR zoning on the southern 5.2 acres rather than to rezone all 19 acres to R-1 is to keep the existing single-family residence on a large lot of similar character to existing adjacent single-family residences on large AG-zoned lots along NE Woods Chapel Rd. The RDR zoning also allows the existing residence to remain on a septic sewer system, whereas the R-1 zoning district is designed to be served by publicly-provided sanitary sewer.

	AG (existing zoning)	Proposed RDR (Lot 35)	Proposed R-1 (Lots 1-34)
Minimum Lot Size	10 acres	1 acre	8,400 sq. ft.
Setbacks	100' (front) ¹ ; 50' (side); 50' (rear)	100' (front) ¹ ; 50' (side); 50' (rear)	30' (front); 7.5' (side); 30' (rear)
Septic System Allowed?	Yes ²	Yes ²	No

¹ – or as established by existing homes on the same side of the street

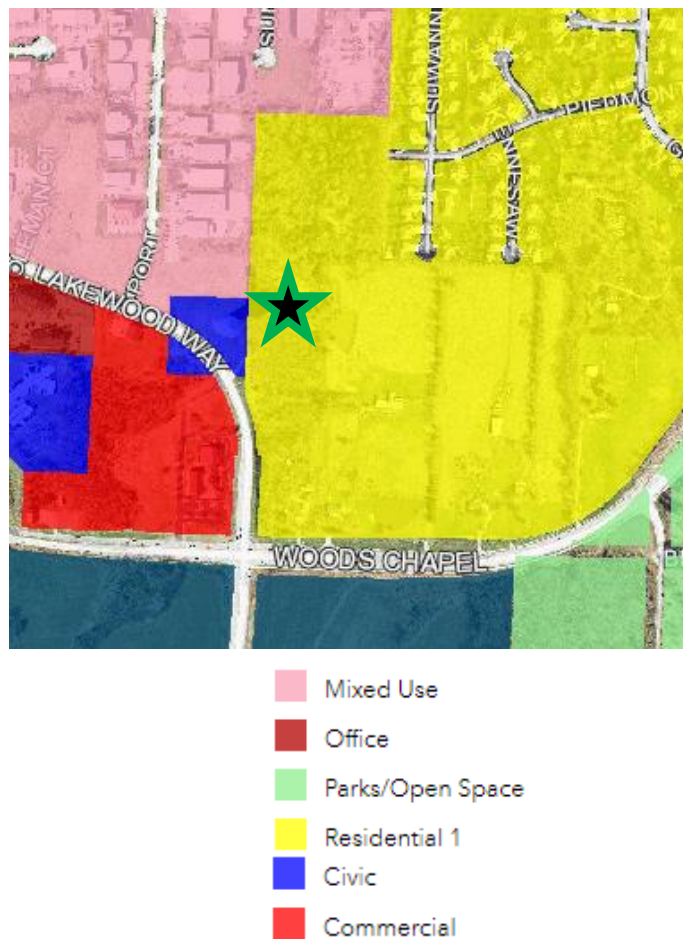
² – minimum 3 acres required. Requires Jackson County approval.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Strong Neighborhoods and Housing Choice	Goal 3.2.A – Maintain thriving, quality neighborhoods that connect a diversity of residents throughout the community.
Facilities & Infrastructure	Goal 3.5.B – Plan and build City services and infrastructure to promote quality growth and resiliency.

The proposed RDR and R-1 zoning is consistent with the Residential 1 land use category identified for the area under the Ignite Comprehensive Plan. The Residential 1 category is primarily for single-family residential development that ranges from very low-density rural residential with limited farming activities to medium and large lot single-family subdivisions.

The proposed rezoning furthers the goals of the Ignite Comprehensive Plan by expanding single-family residential in the area in an interconnected manner with existing single-family neighborhoods to the northeast. Additionally, infrastructure improvements associated with the proposed rezoning extends the infrastructure network to help facilitate the future development of the adjacent AG-zoned, large-lot residential to the east along NE Woods Chapel Rd.



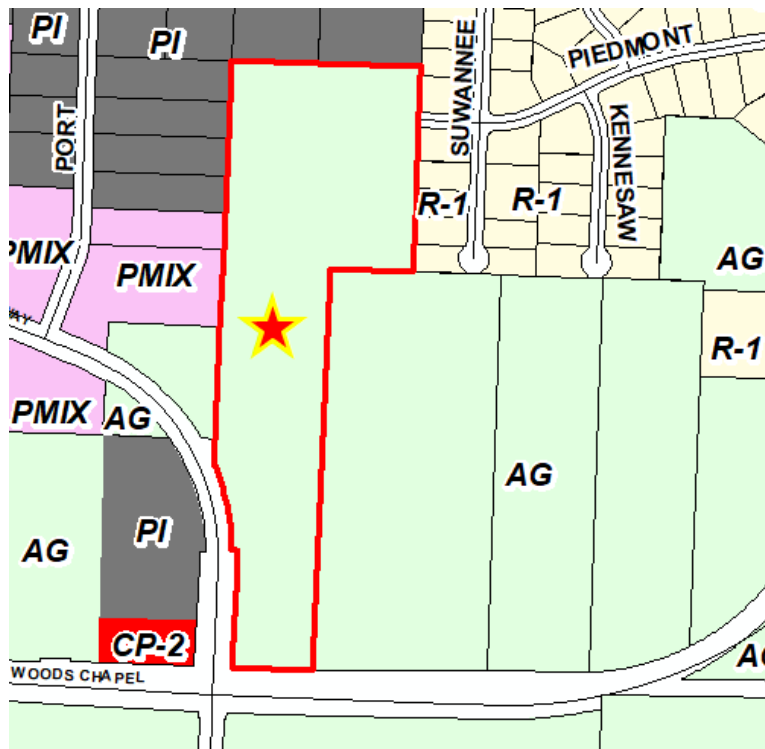
5. Analysis

Background and History

- Circa 1945 – The existing single-family home on the subject property was constructed.

Compatibility

The north side of NE Woods Chapel Rd, east of NE Lakewood Way, marks a transition point to residential development that extends approximately 1.3 miles to the eastern City limit along this corridor. The immediate area to the east along NE Woods Chapel Rd is developed with single-family residences on large acreage, but it transitions to traditional single-family residential subdivisions further east. The applicant's proposed rezoning maintains the existing large lot nature of development along NE Woods Chapel Rd by keeping the south 5.2 acres as a single RDR-zoned lot for the existing residence. The remaining northern 13.8 acres are proposed as R-1 and connect to the abutting R-1-zoned Savannah Ridge subdivision via NE Piedmont Dr. Separating the two areas will be a collector street that will ultimately provide an east-west connection between NE Lakewood Way and NE Woods Chapel Rd as the large acreage property to the east develops in the future.



The proposed rezoning for residential development will not negatively impact the aesthetics of the surrounding properties. As mentioned above, the adjacent area east of NE Lakewood Way is a mix of large acreage and traditional single-family residential development.

Adverse Impacts

The proposed rezoning is not expected to injure or detrimentally affect the neighboring properties. The applicant proposes to maintain a large acreage residential parcel at the south end of the subject site and to develop the northern 13.8 acres with a single-family residential subdivision, all of which is similar to the character of existing area properties along NE Woods Chapel Rd and the abutting Savannah Ridge subdivision to the northeast.

Public Services

Development of the subject property with a single-family residence will not impede the normal and orderly development and improvement of the surrounding property. Access to the necessary public infrastructure to develop the property exists in the immediate area. A 6" public water main stubs into the northeast property corner from the Savannah Ridge subdivision. This water main will need to be upsized to an 8" water main. A development agreement and / or an upsizing agreement will need to be executed between the applicant and the City for said water main improvement and will be a condition of approval on the preliminary plat application (Appl. #PL2022-186) for Orchard Woods. Public sanitary sewers (8" and 10" lines) are available on the west and north ends of the subject property. Public storm sewers are present along NE Lakewood Way and abutting development to the west and north. The site has street frontage along NE Woods Chapel Rd to the south, NE Lakewood Way to the west and has a street stub connection to NE Piedmont Dr to the northeast.

Recommendation

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

6. Recommended Conditions of Approval

Standard Conditions of Approval

1. Upon approval of the proposed rezoning from AG to RDR and R-1, the property owner(s) 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.
2. A final plat shall be approved and recorded prior to any building permits being issued.