



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2022-243 - REZONING from PO to RP-4 and PRELIMINARY DEVELOPMENT PLAN - Douglas and Tudor Apartments
Applicant	Cityscape Residential
Property Address	15 NE Tudor Rd, 25 NW Tudor Rd and 908 NE Douglas St
Planning Commission Date Heard by	September 22, 2022 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Senior Planner Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: May 17, 2022
Neighborhood meeting conducted: July 25, 2022
Newspaper notification published on: September 3, 2022
Radius notices mailed to properties within 300 feet on: August 31, 2022
Site posted notice on: September 2, 2022

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Attachments

Transportation Impact Analysis, prepared by Brad Cooley, dated September 15, 2022 – 3 pages
Traffic Impact Study, prepared by Merge Midwest Engineering, dated August 8, 2022 – 190 pages

Preliminary Stormwater Management Plan, prepared by Phelps Engineering, Inc, dated August 9, 2022
– 103 pages

Rezoning Exhibit, dated August 9, 2022 – 1 page

Preliminary Development Plan, August 9, 2022 – 7 pages

Elevations dated August 9, 2022 – 5 pages

Landscape Plan dated June 23, 2022 – 2 pages

Color Site Plan dated June 23, 2022 – 1 page

Parking Assessment Study, prepared by Merge Midwest Engineering, dated August 8, 2022 – 4 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Cityscape Residential / Developer
Applicant's Representative	Ryan Adams
Property Owner	LOWKAP LLC & City of Lee's Summit
Location of Property	15 NE Tudor Rd, 25 NW Tudor Rd. & 908 NE Douglas St.
Size of Property	±13.03 Acres (567,567 sq. ft.)
Number of Lots	1 Lot
Number of Dwelling Units	2 Studio units 209 1-bedroom units <u>147 2-bedroom units</u> 358 total dwelling units
Density	27.47 units/acre (12 units/acre max. allowed in RP-4 district)
Existing Zoning	PO (Planned Office)
Proposed Zoning	RP-4 (Planned Apartment Residential District)
Comprehensive Plan Designation	Residential 3 & Mixed Use
Procedure	<p>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 in the form of an ordinance.</p> <p><i>Duration of Validity:</i> Rezoning approval by the City Council shall be valid upon approval and has no expiration.</p> <p>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.</p>

Current Land Use

The site of the subject application is currently made up of 4 undeveloped parcels. The parcels at 15 NE Tudor Rd and 25 NW Tudor Rd are currently City owned.

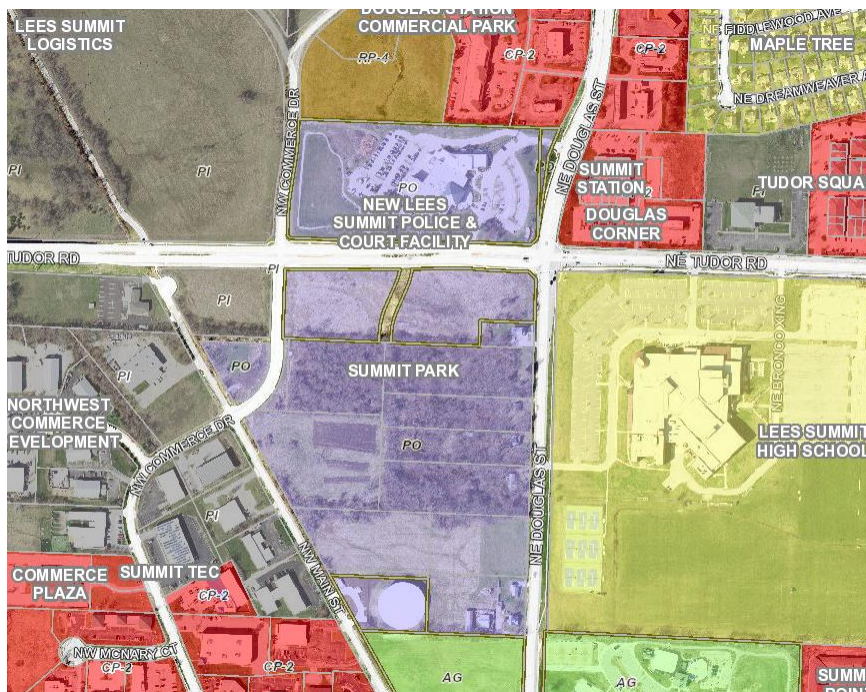
Description of Applicant's Request

The applicant proposes to rezone 13.03 acres located at 15 NE Tudor Rd, 25 NW Tudor Rd. & 908 NE Douglas St. from PO (Planned Office District) to RP-4 (Planned Apartment Residential District) to construct a 358 dwelling unit multi-family (apartment) development. The development includes various amenities in the form of pickleball courts, grill area, dog park and a swimming pool with clubhouse.

The subject application shall also act as the preliminary plat in accordance with UDO requirements.

2. Land Use

Description and Character of Surrounding Area



The subject site is bordered by NW Tudor Road to the north and NE Douglas Street to the east. The Lee's Summit Police and Court Facility is located north across NW Tudor Road. West and south of the subject site are vacant undeveloped properties. Located east across NE Douglas Street is the Lee's Summit North High School campus.

The industrially-zoned Northwest Commerce and Lee's Summit Logistics developments are in the general area just west of the proposed project.

Adjacent Land Uses and Zoning

North (across NW Tudor Rd):	PO (Planned Office District) – Lee's Summit Police and Court Facility
East (across NE Douglas St.):	R-1 (Single-Family Residential District) - Lee's Summit North High School
South:	PO (Planned Office District) – vacant ground
West:	PO (Planned Office District) & PI (Planned Industrial) – vacant ground

Site Characteristics

The southern half of the subject site is heavily-treed and generally slopes from the east to the west. The northern half of the property is mostly void of trees with the western half sloping to the west and the eastern half generally sloping to the north. A section of unused ROW bisects the northern two lots of the subject property.



Special Considerations

The portion of unused NW Sloan Rd ROW will be vacated by separate application (PL2022-298).

3. Project Proposal

Site Design

Land Use	
Impervious Coverage:	68.5%
Pervious:	31.5%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces proposed:	622 1.74per unit	Total parking spaces required:	715 ¹ 2.0/per unit
Parking Reduction requested?	Yes	Off-site Parking requested?	No

¹ Required parking calculation:

- 1 parking space per studio unit + 1.5 parking space per 1- or 2-bedroom unit + 0.5 parking space per unit for guest parking = 715 or 2.0 parking stalls per unit

Setbacks (Perimeter)

Yard	Building Required	Building Proposed
Front	50' (Building from major street)	24.6' (Building)*
Side	10-feet from lot line and 20-foot separation between buildings	10-feet from lot line and 20-foot separation between buildings
Rear	20'	20'

*requires modification

Structure(s) Design

Number and Proposed Use of Buildings
8 apartment buildings 3 detached garage buildings 1 maintenance building 1 clubhouse 13 total buildings
Building Height
50' – Apartment Building (50' max. allowed in RP-4 district) 22' – Clubhouse
Number of Stories
4 story – Apartment building 1 story – Clubhouse

Amenities

Amenities include pickleball courts, grill area, dog park and a swimming pool with a clubhouse.

4. Unified Development Ordinance (UDO)

Section	Description
2.240,2.250,2.260	Rezoning
2.040,2.260,2.300,2.310,2.320	Preliminary Development Plans
4.130	Zoning Districts
8.030,8.050	Planned Residential District Design Standards

Unified Development Ordinance (UDO)

The RP-4 district is 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 applicant has proposed a density of 27.47 units per acre. This will require a UDO modification as further explained below.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Strong Neighborhoods & Housing Choice	<p>Goal 3.2.A: Maintain thriving, quality neighborhoods that connect a diversity of residents throughout the community.</p> <p>Objective: Increase the mix of affordable housing.</p> <p>Objective: Change overall housing mix to 65% Residential Category 1; 20% Residential Category 2; and 15% Residential Category 3.</p>
Land Use & Community Design	<p>Goal: Promote sustainable land use to meet the needs of the future.</p> <p>Objective: Plan for purposeful growth, revitalization and redevelopment.</p>

Comprehensive Plan

The 2021 Ignite Comprehensive Plan land use map identifies the subject site as Residential Category 3 and Mixed Use. The subject plan is consistent with Comprehensive Plan. The proposed land use is not out of character for the surrounding area.

Residential Category 3 is established to accommodate multi-family residential housing ranging from mid-rise mixed-use to apartment. The Location / Compatibility section of the Future Land Use Category table recommends that the physical layout of a development in this category should aim to ‘node’ or ‘center’ the development around an intersection of an arterial or collector street. By positioning the proposed development adjacent to NW Tudor Road and NE Douglas Street, the applicant meets the intent of this objective.

The Ignite Comprehensive Plan further establishes the goal of creating and maintaining a variety of housing options, styles and price ranges. A policy recommendation of the adopted plan recommends allowing developments that increase density and the availability of housing options. The proposed development is in harmony with this goal.

For the reasoning stated above, staff finds the proposed plan would be substantially consistent with the adopted plan and achieve the specified goals and objectives of the Ignite Comprehensive Plan.

6. Analysis

Background and History

- June 22, 1914– The plat “Summit Park” was recorded with Jackson County.
- December 31, 1964 – The subject property was annexed into the City of Lee’s Summit by Ordinance No. 812.
- January 21, 1997 – The City Council approve the final plat “New Lee’s Summit Police and Court Facility, a Replat of Lots 1, 2, 12, 13, and 14 and part of Lot 3 of Summit Park” by Ord. No. 4397.

Compatibility

The property is located on the southwest corner at the intersection of NW Tudor Road and NE Douglas Street. East (across NE Douglas St) of the subject site is the Lee’s Summit North High School campus. South and west of the subject site are vacant undeveloped lots. The proposed use is compatible for the area and, should the rezoning be granted, would be a permitted use by right under the property’s proposed RP-4 zoning.

The proposed building materials are similar and compatible with existing apartment developments in the area and throughout the city, and include brick, fiber cement siding and glass.



Adverse Impacts

The proposed development is not expected to negatively impact the use or aesthetics of any neighboring property, nor does it negatively impact the health, safety and welfare of the public. The use is consistent with the existing multi-family developments throughout the community. The proposed preliminary development plan will not impede the normal and orderly development and improvement of the surrounding property.

Public and Private Infrastructure Services

The proposed development will provide the following infrastructure improvements:

- A public sanitary sewer main will be extended through the development to serve not only the units within the development, but also to serve Lot 3, Summit Park located adjacent to the development on the east side.
- A public water main will be provided along the west side of the development while all water lines internal to the development will be private.
- A combination of a set of underground storage chambers and an above ground dry detention basin will be provided onsite to mitigate the increase in stormwater.
- A westbound left turn from NE Tudor Rd. into the proposed site.

Modifications

Minimum Parking Stall Dimension. Modification requested. **Staff supports the requested modification.**

- Required – 9' wide x 19' deep
- Proposed – 168 compact parking stalls at 8' 6" wide x 19' deep
- Recommendation – According to various industry sources, the average width of a vehicle is 5.8'. The reduction in stall width is minimal and still provides for a parking stall width that will accommodate the average vehicle. In addition to the proposed 168 compact stalls (8.5'x19'), the applicant will be providing 301 standard width (9'x19') parking stalls. As outlined in the below table, various surrounding communities allow a minimum parking stall width at or below the requested 8.5'. Lee's Summit's minimum standard of 9'. Staff finds the request reasonable and for these justifications supports the requested modification.

Surrounding Community Minimum Parking Stall Design Standards		
Location	Stall Width	Stall Length

Kansas City	7.5'	15'
Blue Springs	8.5'	18.5'
Grandview	8'	19'

Minimum front yard setback. Modification requested. **Staff supports the requested modification.**

- Required – 50' building setback from major streets (NW Tudor Rd & NE Douglas St)
- Proposed – 24.6' building setback from major streets (NW Tudor Rd & NE Douglas St)
- Recommendation – The applicant has proposed to place the apartment buildings approximately 24.6' from NW Tudor Rd & NE Douglas St ROW. The UDO requires a 50' building setback along major roads. To utilize the site effectively, meeting the UDO setback requirement would result in the required parking lots being placed between the proposed buildings and the roads. Good planning principles discourage this approach as it does not create an appealing streetscape nor is it pedestrian friendly. Situating the structures as proposed, the buildings will act as a visual screen and physical buffer. This will activate the area and provide an improved streetscape with a more appealing pedestrian friendly environment. Staff finds the request reasonable and for these justifications supports the requested modification.

Density and Minimum Lot Size. Modifications requested. **Staff supports the requested modifications.**

- **Required** – 12 dwelling units per acre maximum in the RP-4 district; and minimum 3,500 sq. ft. lot size per dwelling unit
- **Proposed** – 27.47 dwelling units per acre; and 1,585.38 sq. ft. lot size per dwelling unit
- **Recommendation** – In keeping with similar multi-family communities within Lee's Summit, the applicant has requested the following modifications to the overall density and minimum lot size of the proposed development. The requested density for the apartment development is fairly common among other approved apartment complexes, most comparable to Chapel Ridge Apartments (Phase 2), New Longview Apts. (AMLI) and Streets of West Pryor Apartments. The table below compares the proposed density with that of other similar developments.
 1. Modification of UDO Sec. 6.030, Table 6-2, Density, to allow 27.47 units to the acre for the RP-4 district instead of 12 units per acre.
 2. Modification of UDO Sec. 6.030, Table 6-2, Minimum Lot Size, to allow 1,585.38 sf. per unit for the RP-4 district instead of 3,500 sf. per unit.

Project Name	Total Number of Units	Lot Acreage	Density
New Longview Apts. (AMLI)	206	8.1	25.4 units/acre
The Fairways at Lakewood	272	13.0	21.1 units/acre
The Residences at Echelon	243	11.5	21.8 units/acre
Streets of West Pryor Apartments	250	6.9	36.2 units/acre
Streets of West Pryor Senior Living	165	6.8	24.2 units/acre
Aria	480	61.9	21.3 units/acre
Chapel Ridge Apartments (phase 1)	276	11.96	23.1 units/acre
Chapel Ridge Apartments (phase 2)	120	4.62	25.97 units/acre

Alternate Parking Plan

The UDO establishes two methods an applicant may choose from when determining the minimum number of parking stalls required for a proposed use. The first method to determine minimum parking is to use Table 8-1 of the UDO. For an apartment use, Table 8-1 establishes the ratio of 1 parking space per studio unit + 1.5 parking space per 1- or 2-bedroom unit + 0.5 parking space per unit for guest parking or 715 parking stalls at a rate of 2.0 parking stalls per unit for the subject application.

Alternatively, the UDO allows for the City Council to consider an Alternate Parking Plan that tailors the number of required parking spaces to the specific conditions of particular development as part of a preliminary development plan. The applicant has chosen to request approval of an alternate parking plan at a parking ratio of 1.74 parking stalls per unit.

As justification for the proposed parking ratio, the applicant provided a parking assessment study that compared to the UDO requirements to determine if the number of spaces provided would be adequate. The Institute of Transportation Engineers (ITE) Parking Generation Manual (5th Edition) provides parking demand data based on nationwide studies for defined land uses. The peak parking demand for Land Use 221 – Multifamily Housing (Mid-Rise) was determined for a weekday based on the number of units and the number of bedrooms. The resulting peak period parking demand (10:00 p.m. – 5:00 a.m.) is summarized in the below table:

ITE Parking Generation			
Land Use	Variable	Average Rate (Spaces/Unit)	Calculated Parking Demand
221 – Multifamily (Mid-Rise)	358 Units	1.31	469
221 – Multifamily (Mid-Rise)	505 Bedrooms	0.75	379

The study also compared the parking ratio requirements for apartment developments in nearby cities in the Kansas City area as summarized in the table below:

Parking Requirements for Nearby Cities
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City	Parking Ratio	Required Parking Based on 358 Units
Kansas City	1.00 per unit	358
Blue Springs	1.00 per efficiency, 1.5 per 1-bedroom, 2.0 per 2+ bedroom	610
Independence	1.00 per unit	358
Raymore	1.50 per unit	537
Olathe	1.50 per unit	537
Overland Park	1.33 per efficiency, 1.5 per 1-bedroom, 1.8 per 2-bedroom, 2.0 per 3+ bedroom	581

The proposed development will provide 622 parking spaces, which equates to a parking ratio of 1.74 spaces per unit. Although this is less than the UDO requirement of 716 spaces (2.00 spaces per unit), when compared to other studies and comparable sites, it is providing more spaces than the comparable sites/studies. Staff finds the above justifications reasonable and supports the alternate parking plan.

Recommendation

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

7. Recommended Conditions of Approval

Site Specific

1. A modification of UDO Sec. 8.620 shall be granted to allow 168 parking stalls to have a minimum width of 8' 6" instead of 9'.
2. A modification of UDO Sec. 6.030, Table 6-2, Density, shall be granted to allow 27.47 units per acre for the RP-4 district instead of 12 units to the acre.
3. A modification of UDO Sec. 6.030, Table 6-2, Minimum Lot Size, shall be granted to allow a minimum lot size of 1,585.38 sf. per unit for the RP-4 district instead of 3,500 sf. per unit.
4. Development shall be in accordance with the preliminary development plan, dated August 9, 2022
5. Development shall be in accordance with the Transportation Impact Analysis, prepared by Brad Cooley, dated September 15, 2022.

Standard Conditions of Approval

6. 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.
7. 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).
8. 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 7.340. If security is provided, building permits may be issued upon issuance of

a Certificate of Substantial Completion of the public infrastructure as outlined in Article 3, Division V, Sections 3.540 and 3.550 and Article 3, Division IV, Section 3.475 of the UDO, respectively.

9. 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.
10. 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. The following comments may be addressed with the Final Development Plan submittal:
 - a. The public sanitary sewer must be extended to the plat boundary common to existing Summit Park Lot 3. Please terminate the public sanitary sewer with a manhole at this location. Any sanitary sewer service beyond that point to serve the proposed buildings within the site will be private sanitary sewer lines.
 - b. The water main internal to the site is private and will not require an easement.
 - c. The proposed public water line will need to extend south on NW Commerce Drive to connect with the existing 12" public main on NW Main Street.
 - d. The private water line connecting to the proposed public main extension along both NW Commerce Drive and NW Tudor Road will require backflow vaults.
 - e. Show the existing sanitary sewer south of the proposed connection point.
 - f. The proposed asphalt pavement sections included do not meet the City's requirements. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
11. Please be aware that any future repair work to public infrastructure (e.g., water main repair, sanitary sewer repair, storm sewer repair, etc.) within public easements will not necessarily include the repair of pavement, curbing, landscaping, or other private improvements which are located within the easement.
12. 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 2012 International Fire Code.
13. IFC 903.3.7 - Fire department connections. The location of fire department connections shall be approved by the fire code official. Connections shall be a 4-inch Storz type fitting and located within 100 feet of a fire hydrant, or as approved by the code official.
14. Aerial Access D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
15. IFC 507.1 - An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

16. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.
17. A final plat shall be approved and recorded prior to any building permits being issued.