



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2023-093
File Name	REZONING from CP-2 to PMIX – Pryor Mixed-Use
Applicant	Griffin Riley Property Group, applicant
Property Address	1805 & 1905 SW M-150 Hwy.
Planning Commission Date	August 10, 2023
Heard by	Planning Commission and City Council
Analyst	C. Shannon McGuire, Senior Planner
Checked By	Dawn Bell, Planning Manager Aimee Nassif, AICP, Deputy Director of Development Services Sue Pyles, PE, Development Engineering Manager

Public Notification

Pre-application held: April 11, 2023
Neighborhood meeting conducted: June 8, 2023
Newspaper notification published on: July 22, 2023
Radius notices mailed to properties within 300 feet on: July 19, 2023
Site posted notice on: July 26, 2023

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Attachments

Transportation Impact Analysis prepared by Susan Barry, P.E., dated August 3, 2023 – 3 pages
Traffic Impact Study prepared by McCurdy Engineers, dated June 13, 2023 – 83 pages
Rezoning & Preliminary Development Plan, revision date April 21, 2023 – 8 pages
Elevations, dated June 8, 2023 – 7 pages

Sight Line Exhibit, dated June 8, 2023 – 1 page

Preliminary Stormwater Management Plan prepared by Schlagel, dated April 3, 2023 – 126 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Griffin Riley Property Group / Developer
Applicant's Representative	Matt Tapp
Location of Property	1805 and 1905 SW M-150 Hwy
Size of Property	Lot 1 – 9.02 acres Lot 2 – 7.09 acres Lot 3 – 0.87 acres <u>Lot 4 – 1.18 acres</u> ±18.16 total acres
Number of Lots	4 lots (2 commercial, 1 mixed use, 1 multi-family residential)
Number of Residential Units	Lot 1 – 77 Apt. Units <u>Lot 2 – 176 Apt. Units</u> 253 total units
Density (or FAR)	Lot 1 - 0.28 Lot 2 - 0.60 Lot 3 - 0.21 <u>Lot 4 - 0.19</u> 0.62 total FAR
Zoning (Existing)	CP-2 (Planned Community Commercial District) RP-3 (Planned Residential Mixed-Use District)
Zoning (Proposed)	Lot 1 – RP-4 (Planned Apartment Residential District) Lot 2, 3 & 4 - PMIX (Planned Mixed Use District)
Comprehensive Plan Designation	Residential 1
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 in the form of an ordinance. Duration of Validity: Rezoning approval by the City Council shall be valid upon approval and has no expiration. 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.

Current Land Use

The subject property is undeveloped, unplatted vacant farm ground.

Description of Applicant's Request

The applicant requests approval of a rezoning from CP-2 & RP-3 to PMIX & RP-4 and preliminary development plan (PDP) for a mixed use and multi-family development on 18.16 acres located at the southeast corner of Mo 150 Hwy and SW Pryor Rd.

The proposed development has both a vertical and horizontal mix of uses that include apartments, offices, and retail. From an architectural perspective, buildings will range from 1 to 4 stories. Materials include brick, board & batten siding, stucco, and storefront glazing.

2. Land Use

Description and Character of Surrounding Area

The subject property is bordered by large lot residential on the north and east. South of the property is the Napa Valley residential subdivision with a mix of villa, standard and larger estate lots. West, across SW Pryor Rd in the Osage mixed density residential subdivision.



Adjacent Land Uses and Zoning

North (across Mo 150 Hwy):	Large Lot Single Family/AG
South:	Napa Valley Single Family/PMIX
East:	Large Lot Single Family/AG
West (across SW Pryor Rd):	Osage Mixed Density Residential/RP-3

Site Characteristics

The subject 18.16-acre site is an undeveloped property that has been historically used for agricultural purposes. The site generally slopes from north to south.

Special Considerations

This site is located in the M-150 Corridor Development Overlay (CDO) District.

3. Project Proposal

Site Design

Lot 1	
Impervious Coverage:	41%
Pervious:	59%

TOTAL	100%
Lot 2	
Impervious Coverage:	60%
Pervious:	40%
TOTAL	100%
Lot 3	
Impervious Coverage:	65%
Pervious:	35%
TOTAL	100%
Lot 4	
Impervious Coverage:	57%
Pervious:	43%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces proposed:	550	Total parking spaces required:	470
Accessible spaces proposed:	15	Accessible spaces required:	15
Parking Reduction requested?	No	Off-site Parking requested?	No

Structure(s) Design

Lot #	Use	Square Footage	FAR/Density	Height
1	Residential/Garages	102,000	0.26	1-3 stories
2	Retail/Office/Residential/Garages	203,100	0.66	1-4 stories
3	Retail/Commercial	8,100	0.21	1 story
4	Retail/Commercial	10,000	0.19	1 story

Amenities

Proposed amenities include a pool, clubhouse, playground, dog park, and pickle ball courts. Pedestrian connectivity is included throughout the development with a series of sidewalks and walking trails around the detention pond.

4. Unified Development Ordinance (UDO)

Section	Description
2.240, 2.250, 2.260	Rezoning
2.040, 2.260, 2.300, 2.320	Preliminary Development Plans
4.130, 4.240	Zoning Districts
2.320	Modifications

The intent of the PMIX zoning district is to permit a mixture of uses which, with proper design and planning, will be compatible with each other and with surrounding uses or zoning districts and will encourage a mix of uses, in a cohesive manner in response to market demands.

The proposed rezoning to PMIX and associated development encompasses a vertical and horizontal mixture of different land uses that would not otherwise be permitted to be located within the same zoning district. Uses include the following: stand-alone retail/service uses and apartments above retail/service/office.

The RP-4 Planned Apartment Residential 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. This district is designed for areas served by publicly provided sanitary sewer.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Strong Neighborhoods and Housing Choices	Goal: Maintain thriving, quality neighborhoods that connect a diversity of residents throughout the community. Objective: Change overall housing mix to 65% Residential Category 1, 20% Residential Category 2, 15% Residential Category 3. Objective: Increase business activity by designing mutually supportive neighborhoods.
Resilient Economy	Objective: Diversify Lee's Summit economy. Objective: Increase business retention and grow business activity. Objective: Maintain a diverse and valuable tax base.
Land Use and Community Design	Objective: Plan for purposeful growth, revitalization and redevelopment.

The applicant has proposed a comprehensive plan amendment (PL2023-129) to reclassify the subject site to a mixed-use land category for Lots 2-4 and Residential for Lot 1.

According to the Ignite Comprehensive Plan, the "[Mixed Use] land use designation is intended to accommodate in low-rise buildings a mix of retail, office, service and public uses with a complementary mix of residential development of varying densities...." The proposed development's characteristics of 1- to 4-story buildings housing a mix of retail, office, service, and apartments are in line with the intent of the Mixed-Use land use category as defined under the Ignite Plan.

A number of objectives identified in the Ignite Comprehensive Plan center around the importance of diverse and mutually supportive neighborhoods achieved through purposeful growth. The proposed mix of higher density residential (apartments) and commercial development brings together complementary land uses that serve and support one another in a more compact development pattern that is appropriate for a commercial node at the intersection of MO 150 Hwy and SW Pryor Rd.

6. Analysis

Background and History

- December 30, 1964 – The subject property was part of a 24,429-acre annexation into the City by Ordinance No. 812.

Traffic

A transportation impact study was completed for the preliminary development plan by McCurdy Engineer. The traffic study considered the traffic impact of the proposed development, during the A.M. and P.M. peak hour of adjacent street traffic at each intersection surrounding the development and accessing the development. Approval of the proposed Preliminary Development Plan will be subject to the following conditions:

1. The Traffic Impact Study and development plans are subject to the review and approval of MoDOT. Furthermore, any improvements within state's rights-of-way (MO 150 Highway) may be waived or modified or other improvements added at the discretion of MoDOT for MoDOT's approval of permitted work. The listed recommendations applicable to MoDOT ROW are based on MoDOT's review and comment of the development plan and associated traffic impact study. Any condition modified or provided by MoDOT, shall be documented to the City in substitute for the satisfaction of these conditions.
2. Construct an eastbound right turn lane (200 feet plus taper) at MO 150 at the RIRO access.
3. Extend the existing northbound right turn lane (200 feet plus taper) at the intersection of MO 150 and Pryor Road.
4. Restripe the painted median to create a southbound left turn lane (200 feet plus taper) at Pryor Road and Osage Drive.
5. Reserve Right-of-Way for potential improvement to the MO 150 and Pryor Road intersection.
6. Adjust signal timings at MO 150 and Pryor Road. Update traffic signal equipment to a northbound four-section head to provide a right turn overlap. Prohibit U-turns westbound to eliminate the conflict with the right turn overlap.

Compatibility

The proposed mixed use and multi-family development is a compatible use for the area and is similar to the uses found to the north east in the Arborwalk development. Additionally, the location of the development provides for a buffer between M-150 Hwy and the existing single-family homes in the Napa Valley residential subdivision approximately 1,200' to the south.

The proposed building materials meet UDO requirements, are similar and compatible with existing apartment developments in the area and throughout the City, and include brick, board & batten siding, stucco, and storefront glazing.



Figure 1 – BLDG 1 Front Elevation



Figure 2 – BLDG 4 North Elevation



Figure 2 – BLDG 4 North & West Elevations

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 proposed residential use is consistent with the existing neighborhoods to the east, south and west. The mixed use commercial and multi-family is substantially similar to the uses found in the Arborwalk development just north east of the subject property.

Infrastructure

The proposed preliminary development plan is not expected to impede the normal and orderly development and improvement of the surrounding property. The proposed development will connect to an existing public sanitary sewer main along the south edge of the property and will be required to extend the public sanitary sewer to the north edge of the property. Water service will connect to an existing public water main across SW Pryor Rd. to the west and will be required to extend the public water main to the east edge of the property. On-site stormwater detention will be provided which will discharge into the adjacent stream that crosses the property near the southeast corner. A required stream buffer has been provided for this stream for enhanced stream preservation.

Modifications

1. The applicant has requested a modification to UDO Sec. 8.750 - Acceptable plant materials.
 - **Required** – The minimum plant sizes required to be used in satisfying the UDO landscaping requirements include;
 - Deciduous trees shall be a minimum of 3" caliper, measured at a point 6 inches above the ground or top of the root ball, at planting.
 - Evergreen trees shall be a minimum height of 8' at planting.
 - **Proposed** – The applicant proposes the following minimum plant sizes:
 - Deciduous shade trees shall be a minimum of 2.5" caliper.
 - Evergreen trees shall be a minimum height of 6' at planting.
 - Deciduous ornamental trees shall be a minimum of 2" caliper
 - **Recommendation** – The request for the reduced minimum plant sizes stems from the availability of locally sourced materials. The large plant sizes required by the UDO are not readily available in the local market. In addition to the scarcity, the larger plants do not survive the transplanting processes as well as the requested plant sizes. For these reasons staff finds the request modification reasonable and supports the requested modification.
2. The applicant has requested a modification to UDO Sec. 6.030 – Minimum lot size.
 - **Required** – 12 dwelling units per acre maximum in the RP-4 district; and minimum 3,500 sq. ft. lot size per dwelling unit
 - **Proposed** – 13.93 dwelling units per acre; and 2,398.4 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 the Village at View High, Stag’s Field and Aria. The table below compares the proposed density with that of other similar developments.
 - Modification of UDO Sec. 6.030, Table 6-2, Density, to allow 13.93 units to the acre for the RP-4 district instead of 12 units per acre.
 - Modification of UDO Sec. 6.030, Table 6-2, Minimum Lot Size, to allow 2,398.4 sf. per unit for the RP-4 district instead of 3,500 sf. per unit.

Project Name	Total Number of Units	Lot Acreage	Density
Village at View High Apartments	312	21.3	14.6 units/acre
Residences at New Longview	309	15.5	19.9 units/acre
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
Stag’s Field	372	34.8	13.7 units/acre
Chapel Ridge Apartments (phase 1)	276	11.96	23.1 units/acre

3. The applicant has requested a modification to UDO Sec. 6.040 – Minimum building setbacks.

- **Required** – 50’ building setback from major streets (SW Pryor Rd)
- **Proposed** – 30’ building setback from major streets (SW Pryor Rd)
- **Recommendation** – The applicant has proposed to place the detached garage buildings approximately 30’ from the SW Pryor Rd ROW however 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. To help soften the impact the applicant has added additional architectural elements to the rear of the garages to include windows, awnings

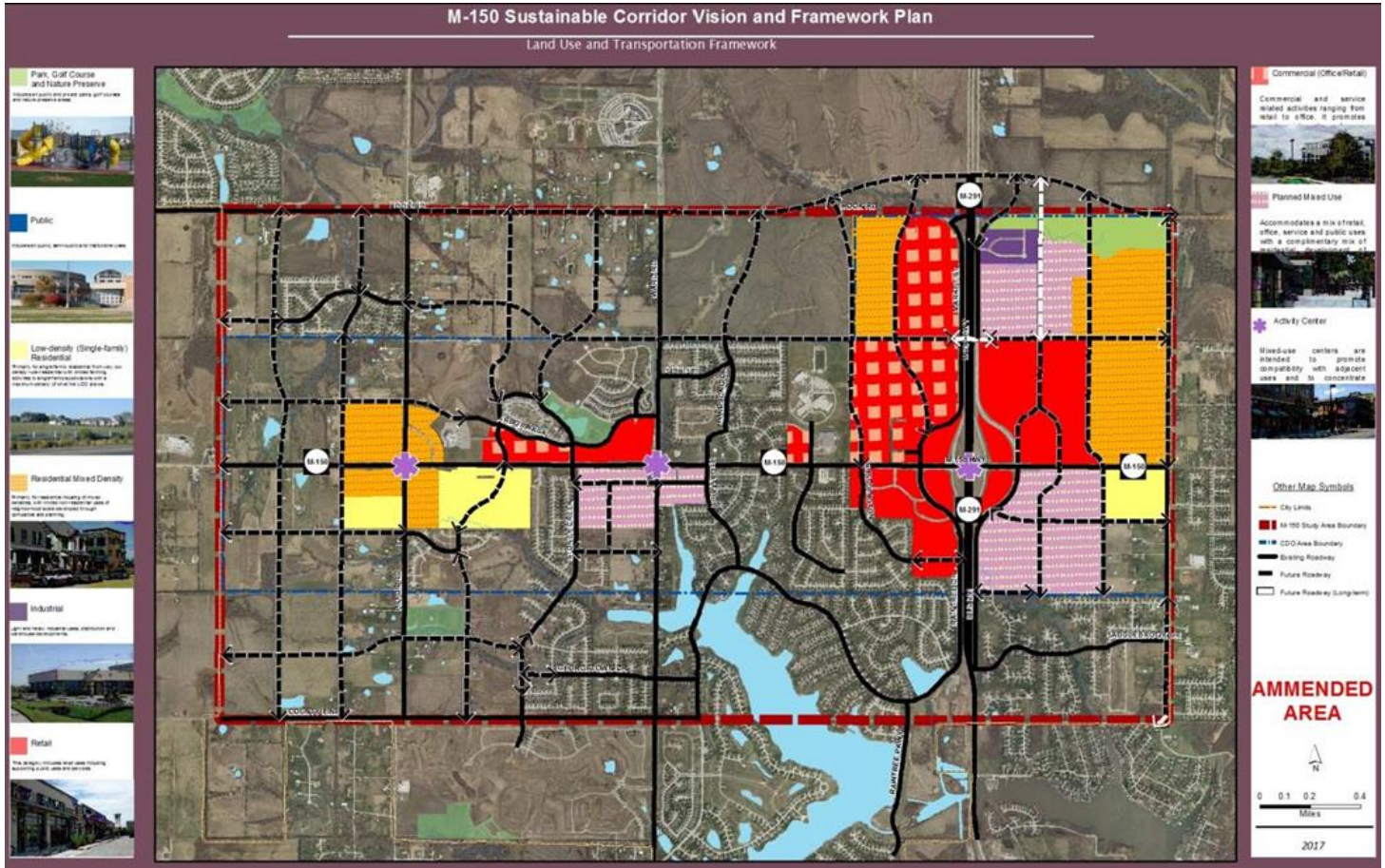
and stone veneer, as well as additional vegetation in the form of bushes and trees. Staff finds the request reasonable and for these justifications supports the requested modification.

4. The applicant has requested a modification to UDO Sec. 5.510 – M-150 CDO design standards.

- **Required** – Parking areas and freestanding parking structures (detached garages or carports) shall not occupy more than 30% of each perimeter public street frontage of a multi-family development (SW Pryor Rd).
- **Proposed** – The applicant has proposed that the detached garages along SW Pryor Rd be allowed to occupy 33% of the perimeter public street frontage.
- **Recommendation** – The proposed detached garage buildings will occupy 408' of the 1237' of the perimeter public street frontage along SW Pryor Rd. or 33% of the road frontage. The CDO design standards sets the maximum street frontage to 30% or in the case of this project, approximately 371'. The proposed layout is requesting a minimal increase of 37' in the frontage allowance. Staff finds the requested increase in negligible and makes the most effective use of the land while still meeting the intent of the CDO standards. For these justifications staff supports the requested modification.

M-150 CDO design standards

The subject property is also located within the boundaries of the M-150 Corridor Development Overlay (CDO) District. The purpose of the CDO is to facilitate the development of property in the M-150 corridor in accordance with the M-150 Sustainable Corridor Vision and Framework Plan (M-150 Corridor Plan) with the



highest possible levels of community and building design consistent with the healthy economic development and redevelopment of the plan area. The applicant has made a concerted effort to meet all CDO design requirements. With the exception to the requested modification to the parking lot layout requirements, the application meets the CDO standards.

Recommendation

With the conditions of approval below, the application meets the goals of the 2021 Ignite! Comprehensive Plan, applicable requirements of the UDO and Design and Construction Manual (DCM).

7. Recommended Conditions of Approval

Site Specific

1. A modification of UDO Sec. 6.030, Table 6-2, Density, shall be granted to allow 13.93 units per acre for the RP-4 district instead of 12 units to the acre.
2. A modification of UDO Sec. 6.030, Table 6-2, Minimum Lot Size, shall be granted to allow a minimum lot size of 2398.4 sf. per unit for the RP-4 district instead of 3,500 sf. per unit.
3. A modification of UDO Sec. 8.750, Acceptable plant materials, shall be granted to allow deciduous shade trees to be a minimum of 2.5" caliper at planting, evergreen trees to be a minimum height of 6' at planting and deciduous ornamental trees to be a minimum of 2" caliper at planting.
4. A modification of UDO Sec. 5.510, M-150 CDO Design Standards, shall be granted to allow parking structures (detached garages) to occupy 33% of the SW Pryor Rd perimeter public street frontage.
5. Development shall be in accordance with the preliminary development plan with a revision date of April 21, 2023.
6. Development shall be in accordance with the Transportation Impact Analysis prepared by Susan Barry, P.E., dated August 3, 2023.

Standard Conditions of Approval

7. 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.
8. 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).
9. 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.
10. 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.

11. 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.
12. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
13. 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.
14. All ADA sidewalk ramps shall be constructed by the developer at the time the street is constructed.
15. 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.
16. IFC 507.5.1 - Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
17. 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.
18. 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.
19. 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.
20. A final plat shall be approved and recorded prior to issuance of any building permits.