



City Planning & Development Department

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Development Management Division

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STAFF REPORT

October 17, 2017

(9)

RE: **Case No. 100-AN-18**

APPLICANT: William Brown
Paragon Star, LLC
801 NW Commerce Drive
Lee's Summit, MO 64086

AGENT: Christine T. Bushyhead
Bushyhead, LLC
315 SE Main St
Lee's Summit, MO 64063

OWNERS: The Family Ranch, LLC (about 38 acres)
Short Family Properties, LLC (about 29 acres)
Lee's Summit I, LLC (about 4 acres)
RBTL Industries, LLC (about 20 acres)
Jerry Rank (about 0.4 acres)

LOCATION: Generally located south of E Bannister Rd, east of View High Dr, and north of Interstate 470.

REQUEST: A request to detach approximately 95 acres generally located south of E Bannister Rd, east of View High Dr, and north of Interstate 470 from the corporate limits of the City of Kansas City to permit subsequent annexation by the City of Lee's Summit.

AREA: About 95 acres.

SURROUNDING LAND USE:

North	Senior housing facility zoned R-0.5 and agricultural uses zoned R-80.
West	Undeveloped land zoned R-7.5.
South	Undeveloped land within the City of Lee's Summit.
East	Industrial uses zoned M1-5.

LAND USE PLAN: The Little Blue Valley Area Plan recommends open space and low-density residential development for the subject property.

MAJOR STREET PLAN: View High Dr is classified as a two-lane parkway requiring 150 to 300 feet of right-of-way. Its alignment is proposed to go through the subject property. Bannister Rd is classified as a four-lane local link requiring 100 feet.

ARTERIAL STREET IMPACT FEE: The subject property is located in District G and is subject to impact fees as required by Chapter 39.
(Informational only)

PREVIOUS CASES: **None.**

EXISTING CONDITIONS:

The subject property consists of multiple parcels totaling approximately 95 acres. There are a total of five different property owners. The property is bound by Bannister Rd on the north, former railroad right-of-way on the east, Lee's Summit to the south and Woodson Rd to the west. The southeastern corner of the property is encumbered by floodplain as it lies adjacent to the Little Blue River. The remainder of the site consists of a bluff, approximately 100 feet above the floodplain running from a southwest to northeast angle. Much of the bluff is heavily vegetated. The northern and western portions of the site are relatively flat and free of vegetation. Access to the site is very difficult given the terrain. Several parcels are landlocked. S Woodson Rd extends southward from Bannister, then turns eastward as E 97th St and provides access to a few parcels. Most parcels are undeveloped – it appears as only three are developed – all containing residential uses and assessed for such uses.

PROPOSAL:

The applicant is proposing a youth sports complex along the north side of I-470 and east of View High Dr on land mostly in Lee's Summit, but also including the subject property. A conceptual sketch of the proposed development has been provided. According to the applicant a traffic study has not yet been prepared, but their engineers have recommended that View High Dr be extended northward to Bannister Rd. As a consequence of this the developer desires to have the subject property detached from the City of Kansas City and then be annexed by the City of Lee's Summit.

Interjurisdictional developments can be difficult for the various jurisdictions to provide services to and enforce their regulations, not to mention confusing for property owners. As a consequence, staff generally supports detachment and annexation upon consideration of the proposed detachment on Kansas City's infrastructure.

A non-gravity sewer main is located through the subject property (the same main extends southward into property already within the city of Lee's Summit). The Major Street Plan has contemplated extending View High Dr northward to Bannister Rd and beyond. Detachment and subsequent development would serve to accomplish that goal since it is the developer's plan to build View High Dr north to Bannister. There are two concerns with this, however: 1) once detached the City loses jurisdiction over whether, when, and how it will be constructed; 2) to what extent will connecting to Bannister introduce additional traffic onto Bannister for which it is not constructed to accommodate? Staff has learned that the developer has not yet prepared a traffic study, so it is not possible to answer these questions. Bannister Rd is a two-lane substandard street from the subject property westward about three miles to James A Reed Rd. The first major north/south street intersecting Bannister west of the site is Raytown Rd which does have access to I-470 and thus may serve as an alternate to I-470 in lieu of View High. But Raytown Rd itself is a two lane substandard section. Eastward from the subject property, Bannister is two lanes to a point about ½ mile west of 350 Highway, or about a mile east from the subject property. The detachment area includes Bannister Rd, therefore the cost of any needed improvements to Bannister would be borne by the taxpayers of Kansas City unless negotiated as part of this detachment request. The applicant has advised that the subsequent annexation request is pending before the Lee's Summit City Council and is scheduled for a hearing by the Council on November 14.

Staff is providing a condition (Condition 1) which requires an agreement between the three parties to address this concern.

RECOMMENDATION:

Staff recommends approval of Case 100-AN-18 subject to the following condition:

1. That the developer enter into a three-party cooperative agreement with the City of Kansas City, Missouri, and the City of Lee's Summit, Missouri, in which the developer shall agree that during the design phase for the View High Extension road improvement, the Developer, at their sole cost, shall provide a traffic study regarding how the connecting intersection of the View High Extension to Bannister Road shall be configured and constructed to accommodate Level of Service D, or better traffic movements at the p.m. peak hour, at the intersection of the View High Extension and Bannister Road and construction of road improvements to Bannister Rd, and intersection improvements suggested in the traffic study, such as turn lanes or intersection control, will be discussed with the City of Kansas City, Missouri and the City of Lee's Summit, Missouri, and as agreed, will be incorporated into the View High Extension project scope. During construction, the developer shall adhere to applicable City of Kansas City, Missouri public improvement permitting requirements, as applicable.
2. An easement is provided for the sewer main as required by Water Services Department.