



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2018-208
File Name	FINAL PLAT - Cobey Creek, 1st Plat, Lots 1-30, 140-159 and Tracts D, E, G & H
Applicant	JCM Development, LLC, applicant
Project Address	500 SE M-150 Hwy
Planning Commission Date Heard by	February 25, 2021 Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr, AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: N/A
Neighborhood meeting conducted: N/A
Newspaper notification published on: N/A
Radius notices mailed to properties within 300 feet on: N/A
Site posted notice on: N/A

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Attachments

Final Plat, dated January 6, 2021 – 4 pages

Irrevocable Standby Letter of Credit, dated February 10, 2021 – 2 pages

Engineer’s Estimate of Outstanding Completion Items, dated February 8, 2021

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	JCM Development, LLC
Applicant’s Representative	Kevin Sterrett, PE/Engineer
Location of Property	500 SE M-150 Hwy
Size of Property	±23.61 acres (1,028,451.6 sq. ft.)
Number of Lots	49 lots and 4 common area tracts
Density	2.08 units/acre (including common area)
Zoning	PMIX (Planned Mixed Use District)
Comprehensive Plan Designation	Residential Mixed-density
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the final plat within thirty (30) days after the application is submitted to the Planning Commission. The City Council takes final action on the final plat in the form of an ordinance.</p> <p>Duration of Validity: Final plat approval shall become null and void if the plat is not recorded within one (1) year from the date of City Council approval.</p> <p>The Director may administratively grant a one (1) year extension, provided no changes have been made to any City ordinance, regulation or approved engineering plans that would require a change in the final plat.</p> <p>The City Council may grant one additional one (1) year extension, provided that additional engineering plans may be required by the City Engineer to comply with current City ordinances and regulations.</p>

Current Land Use
The subject property is currently vacant and is the site of the previously approved mixed-use Cobey Creek development.

Description of Applicant’s Request

The final plat application is for *Cobey Creek, 1st Plat, Lots 1-30, 140-159 and Tracts D, E, G & H*, consisting of 49 lots and four common area tracts on 23.61 acres. The proposed final plat is substantially consistent with the approved preliminary development plan that also served as the preliminary plat.

2. Land Use

Description and Character of Surrounding Area

The properties to the north and west are zoned AG and are unplatted, undeveloped property. The properties to the east are zoned Agriculture and First Dwelling House District—these properties are located outside of the city limits in Greenwood, MO and are a mix of developed and undeveloped residential lots. The properties to the south are unplatted, undeveloped parcels zoned AG and CP-2.

Adjacent Land Uses and Zoning

North:	AG (Agricultural)—vacant ground
South (across M-150 Hwy):	AG (Agricultural)—large lot single family; and CP-2 (Planned Community Commercial District)—vacant ground
East (outside of city limit in Greenwood, MO):	A (Agriculture District)—vacant ground; and R-1 (First Dwelling House District)—single family homes and vacant lots
West:	AG (Agricultural)—vacant ground

Site Characteristics

The property is located at 500 SE M-150 Hwy. The subject site generally slopes from the west to the east and shows the typical characteristics of a property that was historically used as a large lot residential estate.

Special Considerations

This project is located within the boundaries of the M-150 Corridor Development Overlay (CDO) District. The prescribed CDO development standards are not applicable to this phase of the project as they only apply to multi-family (3+ family buildings) and non-residential development. Where relevant, adherence to the prescribed development standards shall be a prerequisite for approval of future phases.

Setbacks

Yard	Required	Proposed
Front	25'	25'
Side	7.5'	7.5'
Rear	30'	30'

3. Unified Development Ordinance (UDO)

Section	Description
4.240	PMIX (Planned Mixed Use District)
7.140, 7.150	Final Plats

The proposed final plat consists of 49 lots and 4 common area tracts on 23.61 acres. The proposed final plat is substantially consistent with the approved preliminary development plan, which also served as the preliminary plat.

4. Comprehensive Plan

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

Comprehensive Plan

The 2005 Lee’s Summit Comprehensive Plan shows the area as residential mixed-density. The Cobey Creek plan is a slight deviation from the Comprehensive Plan in that the proposed development contains a commercial element along the M-150 Hwy frontage. This first plat only contains residential lots. Future phases will include the platting of commercial lots along the M-150 Hwy frontage. Staff believes the location of the commercial element is an appropriate use of the land given its location along a highway corridor and supports the proposed Cobey Creek plan.

5. Analysis

Background and History

- July 27, 2018 – The City Council approved a rezoning from AG to PMIX and a preliminary development plan (Appl. #PL2018-050) for the Cobey Creek Development by Ordinance No. 8423.

Subdivision-Related Public Improvements

In accordance with UDO Section 7.340, prior to adoption of an ordinance approving the final plat by City Council, all subdivision-related public improvements shall be constructed and a Certificate of Final Acceptance shall be issued. In lieu of completion of the public improvements and the issuance of a certificate, financial security (an escrow secured with cash, an irrevocable letter of credit, or a surety bond) may be provided to the City to secure the completion of all public improvements.

A Certificate of Final Acceptance has not been issued for the subdivision-related public infrastructure. The City has received a letter of credit issued by Pinnacle Bank for a maximum of \$169,125.00 to secure the completion of the public improvements.

Compatibility

The property is located at 500 SE M-150 Hwy. The use is generally consistent with the Comprehensive Plan, the approved preliminary development plan and is compatible with the existing and planned surrounding land uses. M-150 Hwy serves as a gateway into Lee’s Summit and the proposed project will serve as a high quality welcome to the community.

Adverse Impacts

The proposed development will not 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 development will provide the required stormwater detention facilities to manage the increased stormwater runoff due to the increased impervious area. The use is consistent with the existing nature of the adjacent residential development in neighboring Greenwood.

Public Services

The proposed plat will not impede the normal and orderly development and improvement of the surrounding property. The necessary street, water, sanitary sewer and storm sewer improvements to serve the area are currently under construction as part of this phase.

Recommendation

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

6. Recommended Conditions of Approval

Standard Conditions of Approval

1. A note shall be included on the final plat stating: "All storm water conveyance, retention, or detention facilities to be located on common property shall be owned and maintained by the homeowners' association in accordance with the standards set forth in the covenants, conditions, and restrictions. These stormwater detention facilities shall be inspected by the homeowners' association on the frequency specified in the current City of Lee's Summit Design and Construction Manual, to assure that all inlet and outlet structures are fully-functional, the detention basin has full storage capacity and all landscaping, vegetation and structural improvements are being maintained in accordance with the current City of Lee's Summit Property Maintenance Code."
2. 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.
3. 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.
4. 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).
5. 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.

6. 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.
7. 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."
8. 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.
9. A final plat shall be approved and recorded prior to any building permits being issued.
10. A table of the required building setbacks applicable to the subject lots shall be added to the plat.
11. Each lot shall be labeled with its respective address.
12. Revise the restricted vehicular access note on Lots 140 and 152 to reflect the required revised street name.
13. No final plat shall be recorded by the developer until the Director of Development Services and the City Attorney have reviewed and approved the declaration of covenants and restrictions pertaining to common property as prepared in accordance with Section 4.270 of the UDO, and until the Director has received certification from the Missouri Secretary of State verifying the existence and good standing of the property owners' association required by Section 4.280 of the UDO. In addition, the approved Declaration of Covenants, Conditions and Restrictions shall be recorded prior to the recording of the final plat.
14. The City's signature block shall be updated to reflect the current City officials: Ryan A. Elam, PE, Director of Development Services (in place of Robert McKay); update the Mayor's signature line with the full name of William A. Baird; & John Lovell, Planning Commission Secretary.
15. The proposed road, SE Cobey Heights, shall be renamed in accordance with the approved street naming policy and shall not exceed 12 characters, including spaces.