

City of Lee's Summit

Development Services Department

April 7, 2017

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *RM For RAM*
RE: **Appl. #PL2017-011 – FINAL PLAT – Eagle Creek, 15th Plat, Lots 661-707 and Tracts O, P and Q; Hunt Midwest Real Estate Development, Inc., applicant**

Commentary

This application is for the final plat of *Eagle Creek, 15th Plat, Lots 661-707 and Tracts O, P and Q*, located west of Pryor Road, approximately ½ mile south of Scherer Road. The proposed final plat consists of 47 lots and three common area tracts on 27.09 acres. The proposed final plat is substantially consistent with the approved preliminary plat and is the second to last phase of the single-family portion of the Eagle Creek subdivision.

- 47 lots and 3 tracts on 27.09 acres
- 1.73 units/acre, including common area
- 3.3 units/acre, excluding common area
- 4.0 units per acre – maximum allowable density in R-1

Subdivision-Related Public Improvements

In accordance with UDO Section 16.340, prior to an ordinance being placed on a City Council agenda for the approval of a final plat, 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, nor has any form of financial security been received to secure the completion of the public improvements. This application will be placed on hold following Planning Commission action until the infrastructure requirements are met.

Recommendation

Staff recommends **APPROVAL** of the final plat.

Project Information

Proposed Use: single-family subdivision

Number of Lots: 47 lots and 3 common area tracts

Land Area: 27.09 acres; 14.19 acres, excluding common area

Density: 1.73 units/acre; 3.3 units/acre, excluding common area

Location: west of Pryor Road, approximately ½ mile south of Scherer Road

Zoning: R-1 (Single-family Residential)

Surrounding zoning and use:

North: AG (Agricultural) – vacant ground –PRI property

South: R-1 (Single-Family Residential District) – *Eagle Creek* subdivision

East: R-1 (Single-Family Residential District) – *Eagle Creek* subdivision

West: AG (Agricultural) – vacant ground and large lot single-family homes

Background

- September 11, 2001 – The Planning Commission approved the preliminary plat (Appl. #2001-121) for *Eagle Creek, Lots 121-169 & 229-743*, subject to rezoning.
- December 6, 2001 – The City Council approved the rezoning (Appl. #2001-119) from AG (Agricultural) to R-1 (Single-Family Residential) and R-3P (Planned Low-Density Multi-Family, now RP-3) and preliminary development plan (Appl. #2001-120) for the *Eagle Creek* development by Ord. #5240.
- September 16, 2004 – The City Council approved Amendment No. 5 (by Ord. #5814) to the Pryor and Hook Road Development Agreement between the City and Hunt Midwest Real Estate Development, Inc. This agreement permitted the release of an additional 120 building permits, for a total of 620 dwelling units, pursuant to the phasing schedule of the improvements to Hook Road.
- March 6, 2006 – The City Council directed staff to disregard subpart Section 8 of the Pryor and Hook Road Development Agreement, dated April 10, 1998, as amended, so as to allow the construction of 820 dwelling units.
- Since 2006 – The City has completed the improvement of Hook and Pryor intersection, as well as the widening of Hook Road west of Pryor Road and Pryor Road, north of Hook Road to interim standards. With these improvements, there is no limitation related to traffic on building permits within the *Eagle Creek* subdivision.
- June 2, 2011 – The City Council approved the final plat (Appl. #PL2011-023) for *Eagle Creek, 12th Plat, Lots 510-556* by Ord. #7058.
- September 19, 2013 – The City Council approved the final plat (Appl. #PL2013-033) for *Eagle Creek, 13th Plat, Lots 557-616* by Ord. #7361.
- August 1, 2016 – The City Council approved the final plat (Appl. #PL2016-017) for *Eagle Creek, 14th Plat, Lots 617-660 and Tract N* by Ord. #7923.

Code and Ordinance Requirements to be met Following Approval

The items in the box below are specific to this subdivision and must be satisfactorily addressed in order to bring this plat into compliance with the Codes and Ordinances of the City.

Engineering

1. 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.
2. 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.

3. The As-graded Master Drainage Plan (MDP) 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.
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 infrastructure 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 16.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Section 1000 of the City's Design and Construction Manual.
6. 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.
7. A Land Disturbance Permit shall be obtained from the Development Services if ground breaking will take place prior to the issuance of an infrastructure permit or prior to the approval of the Engineering Plans.
8. The developer shall execute and record an agreement, committing to the future dedication of a public sanitary sewer easement on Tract Q prior to the recording of the *Eagle Creek 15th Plat, Lots 661-707 and Tract O, P and Q Plat*.

Planning

9. No final plat shall be recorded by the developer until the Director of Planning and Special Projects and the City Attorney have reviewed and approved the declaration of covenants and restrictions pertaining to common property as prepared in accordance with Section 5.330 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 5.340 of the UDO. In addition, the approved Declaration of Covenants, Conditions and Restrictions shall be recorded prior to the recording of the final plat.
10. A final plat shall be approved and recorded prior to any building permits being issued. All subdivision-related public improvements must be complete prior to approval of the final plat by the City Council unless security is provided in the manner set forth in UDO Section 16.340.
11. Lots 661 and 707 shall be labeled with a reference to the restricted access note.
12. All Lots and Tracts shall be labeled with their respective addresses.

RGM/jmt

Attachments:

1. Final Plat, date stamped February 21, 2017—3 pages
2. Location Map