

City of Lee's Summit

Development Services Department

September 8, 2017

TO: Planning Commission

CHECKED BY: Josh Johnson, AICP, Assistant Director of Plan Services *SRS*

PREPARED BY: Jennifer Thompson, Planner

RE: **Appl. #PL2017-152 – FINAL PLAT – Pergola Park, 4th Plat, Lots 81 thru 107, and Tracts N, 8-4 and 9-4; Inspired Homes LLC, applicant**

Commentary

This application is for the final plat of *Pergola Park, 4th Plat, Lots 81-107 and Tracts N, 8-4 and 9-4*, located south of SW Longview Road and north of the historic pergola. The proposed final plat consists of 27 lots and three common area tracts on 8.39 acres. The proposed final plat is substantially consistent with the approved preliminary plat.

- 27 lots and 3 tracts on 8.39 acres
- 3.21 units/acre, including common area
- 3.97 units/acre, excluding common area

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: 27 lots and 3 common area tracts

Land Area: 8.39 acres; 6.8 acres, excluding common area

Density: 3.21 units/acre; 3.97 units/acre, excluding common area

Location: south of SW Longview Road; north of the historic pergola and lake

Zoning: PMIX (Planned Mixed Use District)

Surrounding zoning and use:

North: PMIX (Planned Mixed Use District) – Pergola Park and Madison Park subdivisions

South: PMIX (Planned Mixed Use District) – historic pergola and lake

East: PMIX (Planned Mixed Use District) – Longview Mansion and vacant ground

West: PMIX (Planned Mixed Use District) – Pergola Park subdivision

Background

- March 25, 2003 – The Planning Commission approved the preliminary plat (Appl. #2003-015) for Pergola Park, Lots 1-138 and Tracts A-W.
- December 11, 2003 – The City Council approved the final plat (Appl. #2003-251) of Pergola Park, 1st Plat, Lots 1-7, 136 and Tracts 2-1 and 3-1, by Ordinance No. 5665.
- October 14, 2004 – The City Council approved the final plat (Appl. #2004-108) of Pergola Park, 2nd Plat, Lots 8-14, 16-57 and Tracts A-H, J, K, 2-2, 3-2, 4-2, 4A-2 and 7-2, by Ordinance No. 5822.
- December 8, 2005 – The City Council approved the final plat (Appl. #2005-329) of Pergola Park, 3rd Plat, Lots 58-80 and Tracts L, M, 6-3 and 7-3, by Ordinance No. 6085.

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 shall be submitted to an accepted by the City prior to the issuance of any building permits for the development.
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. A Land Disturbance Permit shall be obtained from the Development Services Department if ground breaking will take place prior to the issuance of an infrastructure permit or prior to the approval of the Engineering Plans.

Fire

7. 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.

Planning

8. 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.
9. 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.
10. All lots and tracts shall be labeled with their respective addresses.
11. The 20 foot easement running through Tract N, Lots 103, 102, 93, 94, 95, 83, 82, and 81 shall be vacated. Prior to the approval of the vacation of easement, the relocated sanitary sewer line shall receive substantial completion.

Attachments:

1. Final Plat, date stamped August 22, 2017—2 pages
2. Location Map