

City of Lee's Summit

Development Services Department

February 8, 2019

TO: Planning Commission
PREPARED BY: Jennifer Thompson, Planner
CHECKED BY: Hector Soto, Jr., Current Planning Manager
Kent D. Monter, P.E. Development Engineering Manager
RE: **Appl. #PL2018-232 – FINAL PLAT – Streets of West Pryor, Lots 1-14, Tracts A, B, C, & D; Drake Development, LLC, applicant**

Commentary

This final plat application is for *Streets of West Pryor, Lots 1-14, Tracts A, B, C, & D*, located at the northwest corner of NW Pryor Rd and NW Lowenstein Dr. The proposed final plat consists of 14 lots and 4 tracts on 72.71 acres for the Streets of West Pryor mixed use development. The layout of the final plat is substantially consistent with the approved preliminary development plan.

- 14 lots and 4 tracts on 72.71 acres

Subdivision-Related Public Improvements

In accordance with UDO Section 7.340, 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.

Zoning and Land Use Information

Location: approximately 73 acres located at the northwest corner of NW Pryor Rd and NW Lowenstein Dr.

Zoning: R-1 (Single-family residential) and PMIX (Planned Mixed Use)

Surrounding Zoning and Use:

North (across I-470 Highway): AG (Agricultural) – Family Ranch – rock excavation

South (across NW Lowenstein Dr.): R-1 (Single-family residential) – single family subdivision and AG (Agricultural) – Lowenstein Park

East (across NW Pryor Rd.): CP-2 (Planned Community Commercial District) – existing Summit Woods Shopping Center

West: R-1 (Single-family residential) and AG (Agricultural) – single-family subdivision and Lowenstein Park

Site Characteristics. The subject site is composed of multiple undeveloped parcels currently under various ownerships, pending a contract to consolidate ownership to one owner/developer. Existing KCP&L overhead powerlines run through the center of the property running north and south on the site. As part of this development, the overhead lines are proposed to be relocated, parallel to NW Pryor Rd. The property environment is a treed landscape with rugged, jagged terrain requiring extensive mass grading and clearing to make the site developable.



Description and Character of Surrounding Area. The area surrounding the intersection of NW Pryor Rd and NW Lowenstein Dr. is the developed Summit Woods Shopping Center to the east and Lowenstein Park and single-family residential development to the south and west. The site is bordered by I-470 to the north and NW Chipman Road to the south.

Project Information

Current Use: vacant, undeveloped property; former residences have been removed

Proposed Use: retail, sit-down restaurants, drive-thru restaurants, medical office, grocery store, senior living facility, mixed use apartment complex with retail & restaurant, and associated pickle-ball courts.

Land area: 3,167,055 sq. ft. (72.71 acres)

Number of Lots: 14 lots and 4 tracts

Process

Procedure: 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.

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.

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.

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.

Unified Development Ordinance

Applicable Section(s)	Description
4.090, 4.240	R-1 (Single-Family Residential District) and PMIX (Planned Mixed Use District)
7.140, 7.150	Final Plats

Comprehensive Plan

Focus Areas	Goals, Objectives and Policies
Economic Development	Objective 2.2 Objective 2.3
Overall Area Land Use	Objective 1.1 Objective 1.2 Objective 1.4
Commercial Development	Objective 4.1 Objective 4.2 Objective 4.3

Background

- April 6, 2017 – The City Council approved a rezoning (Appl. #PL2016-206) from R-1 and CP-2 to PMIX – Approximately 39 acres generally bounded by I-470 on the north, NW Pryor Road on the east, and NW Lowenstein Drive on the southwest known as West Pryor Village, by Ordinance No. 8127.
- January 11, 2019 – The City Council approved a rezoning and preliminary development plan (Appl. #PL2018-098) for Streets of West Pryor by Ordinance No. 8531.

Code and Ordinance Requirements

The items in the box below are specific to this development and must be satisfactorily addressed in order to bring the plan 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, unless as otherwise noted in an executed Development Agreement.

2. 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).
3. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of an infrastructure permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
4. 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.
5. Include a separate dedication for the sanitary easements (SE) shown on the plat.
6. There appears to be a need for additional right-of-way dedication at the intersections of Summit Woods Xing and Lowenstein along Pryor Road for improvements, including traffic signal equipment, poles, etc. Additional comments pertaining to right-of-way limits and sidewalk easements depicted on the plat for dedication are contingent upon submittal and review of infrastructure/engineering plans.
7. The Public Common Area Easement (PCAE) and (including Access Easement) areas may need to be wider depending on site development plans, particularly the 46' easement associated with driveway approach at Summit Woods Xing intersection. This particular approach requires multiple lanes and medians at the traffic signal controlled intersection that have not been designed and submitted for review.
8. Consider using the existing street name "Black Twig Lane" in lieu of "Lowenstein Circle" as a continuation of existing street across the intersection.

Planning

9. An application for vacation of right-of-way shall be approved for a portion of NW Lowenstein Dr. located west of NW Pryor Rd., prior to the approval of Streets of West Pryor, Lots 1-14, Tracts A, B, C, D Plat by City Council.
10. A final plat shall be approved and recorded prior to any building permits being issued.
11. 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 4.280 of the UDO, and until the Director has received certification from the Missouri Secretary of State verifying the existence and good standing on 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.
12. Include a definition of the PCAE easement in the dedication paragraph.
13. A cross access easement/shared parking dedication paragraph shall be added and noted as applicable.

ITS/GIS

14. There is a missing lot dimension on Tract B, north-northwest corner.
15. Lot 10 east line dimension is incorrect.

16. Remove "State of Kansas/County of" statement under dedication.
17. On the coordinate table, please provide details on the coordinate system used, grid factor, and if the coordinates are in feet or meters.
18. Property owner clarification is required.

Attachments:

1. Final Plat, date stamped January 26, 2019
2. Location Map