



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2019-152 – FINAL PLAT – Pergola Park, 4 th Plat, Lots 81 thru 117 and Tracts N thru P, 8-4, 9-4 and 10-4
Applicant	NLV Pergola Park, LLC
Property Address	3200 SW Pergola Park Dr
Planning Commission Date Heard by	June 13, 2019 Planning Commission and City Council
Analyst	Jennifer Thompson, Senior Planner
Checked By	Hector Soto, Jr., AICP, Current Planning Manager Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: December 12, 2018

Neighborhood meeting conducted:

- 1/3/19: Met with neighbors on east side of lake
- 1/13/19: Met with New Longview Community Association board
- 2/17/19: Met with New Longview Community Association board
- 2/26/19: Met with LS city staff to review project sequencing
- 4/10/19: Toured neighborhood with Community Association Green Committee Chair
- 4/11/19: Met with New Longview Community Association board
- 5/17/19: Toured with Community Association Green Committee Chair, landscaper, landscape architect to review green space plans
- 5/29/19: Neighborhood-wide presentation on 4th plat, lake, pergola, and NLV community association plans (New Longview residents and east side of lake neighbors invited)
 - o Had +/- 50 attendees and lasted a little over 3 hours.

Newspaper notification published on: n/a

Radius notices mailed to properties within 185 feet on: n/a

Site posted notice on: n/a

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Attachments

Final Plat, date stamped May 20, 2019—1 page

Single-Family Compatibility Form—3 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	NLV Pergola Park, LLC
Applicant's Representative	Russel G. Pearson
Location of Property	South of SW Longview Rd; north of the historic pergola and lake
Size of Property	±9.8099 Acres
Zoning	PMIX (Planned Mixed Use District)
Comprehensive Plan Designation	Planned Mixed Use
Procedure	The Planning Commission makes a recommendation to City Council on the application.

Current Land Use
Vacant Land

Description of Applicant's Request
This application is for the final plat of <i>Pergola Park, 4th Plat, Lots 81-117 and Tracts N thru P, 8-4, 9-4 and 10-4</i> . The proposed final plat consists of 37 lots and six (6) common area tracts on 9.8 acres. The proposed final plat is substantially consistent with the approved preliminary plat.

2. Land Use

Description and Character of Surrounding Area
The property is located south of SW Longview Road and north of the historic pergola. The surrounding neighborhood is comprised of a single-family residential subdivision.

Adjacent Land Uses and Zoning

North:	<i>Pergola Park and Madison Park subdivisions / PMIX</i>
South:	historic pergola and lake / PMIX
East:	Longview Mansion and vacant ground / PMIX
West:	<i>Pergola Park subdivision / PMIX</i>

Site Characteristics

The site consists of vacant ground surrounded by single-family homes to the north and east. The historic pergola and lake is located immediately to the south and the Longview Mansion is located to the west of this property.

Setbacks

Yard	Face of Structure	Appurtenance Encroachment
Front	20'	8'
Side	5' (Street Side Yard 12')	5' (Street Side Yard 5')
Rear	3'	2'

3. Unified Development Ordinance (UDO)

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

The final plat is to allow for the continuation of single-family lots in the Pergola Park subdivision, which is an allowed use under the UDO and is compatible with the uses under the approved preliminary plat and preliminary development plan.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Residential Development	Objective 3.1 Objective 3.2 Objective 3.3

The proposed final plat does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Comprehensive Plan for providing quality, diverse housing types that meets current demand and provides a long-term positive impact.

5. Analysis

Background and History

This application is for the final plat of *Pergola Park, 4th Plat, Lots 81-117- and Tracts N thru P, 8-4, 9-4, and 10-4*, located south of SW Longview Road and north of the historic pergola. The proposed final plat consists of 37 lots and six (6) common area tracts on 9.8 acres. The proposed final plat is substantially consistent with the approved preliminary plat.

- 37 lots and 6 tracts on 9.8 acres
- 3.7 units/acre, including common area
- 4.7 units/acre, excluding common area

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.

- 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.

Compatibility

The plan is for the continuation of the Pergola Park single-family subdivision. The Pergola neighborhood is a neo-traditional neighborhood with distinguishing features that include compactness, tighter form and medium to low overall density. The proposed plat is consistent and compatible with the surrounding established neighborhood.

Adverse Impacts

The proposed plat 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.

Public Services

Public facilities and services will be constructed and made available as part of the plan to meet the demand for services generated by the proposed use.

Recommendation

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

6. Recommended Conditions of Approval

Standard Conditions of Approval

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. 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).
4. 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.
5. 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.
6. 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.
7. 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 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.
8. 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 7.340.
9. All lots and tracts shall be labeled with their respective addresses.
10. Front build lines shall be 20'.
11. Provide the street centerline ITB on eastern part of Pergola Park Dr.