

City of Lee's Summit

Development Services Department

June 9, 2017

TO: Planning Commission

FROM: Robert G. McKay, AICP, Director of Long Range Planning and Special Projects *Will For RGR*

RE: **Appl. #PL2017-098 – PRELIMINARY PLAT – Arborwalk South, Lots 1-381 & Tracts A-N; Inspired Homes, LLC, applicant**

Commentary

This preliminary plat application is for *Arborwalk South, Lots 1-381 & Tracts A-N*, located 3/10 mile north of the intersection of SW Arborlake Dr. and M-150. The proposed preliminary plat consists of 381 lots and 14 common area tracts on 124.62 acres. The proposed density complies with the standard for the PMIX (Planned Mixed Use) zoning district approved as part of the Arborwalk Preliminary Development Plan in 2003.

The rezoning, preliminary development plan and preliminary plat for Arborwalk were originally approved in 2003. The most recent final plat for a phase of Arborwalk was also approved in 2007. No final plat for any subsequent phase has been submitted since that time. According to Section 16.130.A of the UDO, if a preliminary plat is phased over two or more final plats, and there is a lapse of two years or more between the approval of any final plat and submission of the next final plat, the preliminary plat approval shall terminate and be null and void. Since no final plat has been submitted since 2007 for a subsequent phase, the previously approved preliminary plat is null and void. This application is for approval of the next phases of the Arborwalk single-family residential component. The plat is generally based on the previous preliminary plat that was approved by the Planning Commission on September 23, 2003.

- 381 lots and 14 common area tracts on 124.62 acres
- 3.78 units per acre, including common area
- 4.42 units per acre, excluding common area

Recommendation

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

Project Information

Proposed Use: single-family residential

Land Area: 124.62 acres, including common area; 111.98 acres, excluding common area

Lots: 381 lots and 14 common area tracts

Location: 3/10 mile north of the intersection of SW Arborlake Dr. and M-150

Zoning: PMIX (Planned mixed use district)

Surrounding zoning and use:

North: AG (Agricultural) – large lot single-family homes, PMIX (Planned Mixed Use) – undeveloped Arborwalk North subdivision

South: PMIX (Planned Mixed Use) – Arborwalk subdivision, Holy Spirit Catholic Church

East: PMIX (Planned Mixed Use) – Arborwalk subdivision

West (across SW Pryor RD): AG (Agricultural) – large lot single-family homes

Background

- June 19, 2003 – The City Council approved the rezoning from AG to PMIX (Appl. #2002-224) and preliminary development plan (Appl. #2002-225) for the 376-acre mixed-use Arborwalk development by Ordinance No. 5548.
- August 13, 2003 – A development agreement between Gale Communities and the City for the Arborwalk development was executed.
- September 23, 2003 – The Planning Commission approved the preliminary plat (Appl. #2003-208) for *Arborwalk, Lots 1-783, Blocks 1-71 and Tracts A-AAC*.
- 2004-2007 – The City Council approved final plats for *Arborwalk, 1st Plat* through *Amended Arborwalk, 9th Plat*.

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. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the 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 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 or prior to the approval of the Engineering Plans.
7. 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 a final plat. A certified copy shall be submitted to the City for verification.
8. 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."

9. Any cut and / or fill operations, which cause public infrastructure to exceed the maximum / minimum depths of cover shall be mitigated by relocating the infrastructure vertically and / or horizontally to meet the specifications contained within the City's Design and Construction Manual.

Planning

10. All easements shown to be vacated shall require submittal of a separate application.
11. The following language shall be included in the common area dedication note at the time of final plat: "During the period in which the developer maintains effective control of the condominium or property owners' association, or other entity approved by the Governing Body, the developer shall remain jointly and severally liable for the maintenance obligations of the condominium or property owners' association."
12. The following note shall be included on the final plat: "All storm water conveyance, retention or detention facilities to be located on common property shall be owned and maintained by the property owners' association in accordance with the standards set forth in the 'Covenants, Conditions and Restrictions.' Refer to the 'Covenants, Conditions and Restrictions' associated with this development for requirements.
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 5.330 of the UDO, and until the Director of Development Services 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.
14. A final plat shall be approved and recorded (with the necessary copies returned to the Development Services Department) prior to any building permits being issued.
15. Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.

RGM/csm

Attachments:

1. Preliminary Plat, date stamped May 23, 2017
2. Transportation Impact Analysis prepared by City Traffic Engineer, Dated June 7, 2017 – 2 pages
3. Single Family Residential Compatibility Worksheet
4. Location Map