

City of Lee's Summit

Development Services Department

June 9, 2017

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *MAP FOR RGM*
RE: **Appl. #PL2017-089 – FINAL PLAT – The Grove at Lee's Summit, 1st Plat, Lots 1, 2 & Tract A; The Grove at Lee's Summit, LLC, applicant**

Commentary

This final plat application is for *The Grove at Lee's Summit, 1st Plat*, located at the southeast corner of SE Bailey Road and SE M-291 Hwy. The proposed final plat consists of 2 lots and 1 common area tract on 34.8 acres. The proposed final plat is substantially consistent with the approved preliminary development plan.

- 2 lots and 1 common area tract on 34.8 acres

Subdivision-Related Public Improvements

In accordance with Unified Development Ordinance (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 surety bond deposit agreement will be provided to the City and approved by the City Council in an amount sufficient to secure completion of the subdivision-related public infrastructure. Approval of the surety bond deposit agreement allows the final plat to move forward to the City Council for approval.

Recommendation

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

Project Information

Proposed Use: industrial

Land Area: 413,055 sq. ft. (9.5 acres) – Lot 1
638,721 sq. ft. (14.7 acres) – Lot 2
211,049 sq. ft. (4.8 acres) – Tract A
+ 251,745 sq. ft. (5.8 acres) – right-of-way
1,514,570 total sq. ft. (34.8 acres)

Lots: 2 lots and 1 common area tract

Location: southeast corner of SE Bailey Road and SE M-291 Hwy.

Zoning: PMIX (Planned Mixed Use)

Surrounding zoning and use:

North (across SE Bailey Rd.): PMIX – undeveloped, The Grove development (future)

South: PMIX and PI (Planned Industrial) – office/warehouse

East: (across UPRR): PI (Planned Industrial) – County Beverage Company

Background

- December 29, 1951 – The Pfizer property and surrounding property, located north of Persels/Bailey, was annexed into the City of Lee's Summit.
- December 29, 1954 – The City's first zoning ordinance (Ord. #421) was adopted. This zoning ordinance placed the zoning designation of C-6 on the subject property located north of Persels/Bailey. District C (Highway Business and Industrial) allowed a variety of uses including wholesale, storage, warehousing, processing, and manufacturing.
- September 16, 1959 – The subject property located south of Persels/Bailey, including the properties located north of SE Thompson Drive, were annexed into the City of Lee's Summit.
- March 27, 1962 – The City adopted Zoning Ordinance #715. The subject property was identified as M-1 (Light Industrial) under this zoning ordinance.
- November 1, 2001 – The Unified Development Ordinance (UDO) became effective and changed District M-1 (Light Industrial) to District PI (Planned Industrial).
- September 13, 2005 – The Planning Commission approved Resolution 05-03 amending the Comprehensive Plan to change the preferred land use from industrial and low-density residential to planned mixed use on the land located south of U.S. 50 Hwy., on both sides of M-291 Hwy., to Persels Road on the west side of M-291 Hwy.; and to just south of 16th Street on the east side of M-291 Hwy.
- November 9, 2005 – Rezoning (Appl. #2005-369) and preliminary development plan (Appl. #2005-370) applications were filed for the property generally located south of U.S. 50 Hwy. on both sides of M-291 Hwy. for the proposed City Walk development. The applications contained a total of 182.25 acres. The Calmar site (called the Retail A site on the City Walk plan) encompassed 24.81 acres with 218,000 sq. ft. of retail building and 12,000 sq. ft. of fast food/retail building. In December 2006, the applications were withdrawn after a motion to approve the City Walk Tax Increment Financing plan failed.
- April 12, 2007 – The City Council approved a rezoning (Appl. #2007-016) from PI to CP-2 and preliminary development plan (Appl. #2007-017) for the Shops at Bridgepoint by Ord. #6374.
- December 22, 2010 – The minor plat (Appl. #2009-097) of *Pfizer Way* was recorded at the Jackson County Recorder of Deeds Office by Instrument #2010E0126141.
- November 3, 2016 – The City Council approved a City-initiated rezoning (Appl. #PL2016-158) from CP-2, PI, and PMIX to PMIX and conceptual development plan for approximately 237 acres generally bounded by Pine Tree Plaza, US 50 Hwy., Adesa Property, Jefferson Street (west of M-291 Hwy.), 16th Street (east of M-29 Hwy.), Union Pacific Railroad right-of-way and south M-291 Hwy. by Ord. #8013.
- November 27, 2016 – An ordinance approving a preliminary development plan (Appl. #PL2016-165) for The Grove on approximately 73 acres zoned Planned Mixed Use (PMIX) located at the northeast and southeast corners of SE M-291 Hwy. and SE Bailey Road was deemed approved by Ord. #8021 under Section 3.13(g) and Section 4.4(c) of the Charter of the City of Lee's Summit, Missouri, First Amended, November, 2007, due the Mayor's failure to either sign or disapprove the same within ten days of receipt.

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. 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).
3. 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.
4. 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 Final Development Plan/Engineering Plans.

Planning

5. 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.
6. 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 of Planning and Special Projects 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.
7. 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 for vertical construction.
8. Replace Fred Demoro as the listed Planning Commission Secretary with Donnie Funk.

RGM/cs

Attachments:

1. Final Plat, date stamped May 31, 2017 – 1 page
2. Location Map