

# City of Lee's Summit

## Department of Development Services

May 12, 2017

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *RM/ For RGM*  
RE: **Appl. #PL2016-186 – FINAL PLAT – Village at View High, 1<sup>st</sup> Plat, Lots 1-3 & Tract A; Engineering Solutions, LLC, applicant**

### Commentary

This final plat application is for *Village at View High, 1<sup>st</sup> Plat, Lots 1-3 & Tract A*, generally located at the northeast corner of SW View High Dr. and SW 3<sup>rd</sup> St. The proposed final plat consists of 3 lots and 1 common area tract on 32.46 acres. The proposed final plat is substantially consistent with the approved preliminary plat.

- 3 lots and 1 common area tract on 32.46 acres

### 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, however an irrevocable letter of credit has been received to secure the completion of the public improvements.

### Recommendation

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

### Project Information

**Proposed Use:** apartment development and commercial uses

**Number of Lots:** 3 lots and 1 common area tract

**Land Area:** 32.46 acres; 29.49 acres, excluding common area

**Location:** generally located at the northeast corner of SW View High Dr. and SW 3<sup>rd</sup> St.

**Zoning:** PMIX (Planned Mixed Use District)

**Surrounding zoning and use:**

**North:** AG (Agricultural)—vacant ground and R-1 (Single-Family Residential)—single family residence

**South:** PMIX (Planned Mixed Use)—future Village at View High commercial uses

**East:** PMIX (Planned Mixed Use)—future Village at View High senior living

**West (across SW View High Drive): Kansas City, MO property—Fred Arbanas Golf Course**

## **Background**

- July 15, 1964 – The Planning and Zoning Chairman of Jackson County Planning Commission approved the minor plat (Appl. #1964-009) for *Berbiglia Heights, Lots 2-4* and was recorded with the Jackson County Recorder's Office.
- December 31, 1964 – The majority of the subject property was annexed into the City of Lee's Summit, by Ordinance No. 812.
- June 6, 1967 – The City Council approved a rezoning from AG (Agricultural) to R-1 for the *Still Meadow Farm* residential subdivision (for the majority of the subject property), by Ordinance No. 1005 (Appl. #1967-011).
- August 29, 1972— Approximately 180 feet of the subject property, east of the View High Drive right-of-way, was annexed into the City of Lee's Summit, by Ordinance No.1389.
- July 23, 1997 – A Minor Plat (Appl. #1997-214) for *Berbiglia Heights, Lot 5* was approved by City staff and was recorded with the Jackson County Recorder's Office.
- September 27, 2016 – The Planning Commission approved the preliminary plat (Appl. #PL2016-147) for *Village at View High*.
- October 20, 2016 – The City Council approved a rezoning (Appl. #PL2016-145), from R-1 to PMIX for the Village at View High conceptual development plan, by Ordinance No. 8002.
- November 3, 2016 – The City Council approved a preliminary development plan (Appl. #PL2016-146), for the Village at View High Apartment development, by Ordinance No. 8008.

## **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 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 prior to any land disturbance activities on the property.
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. A certified copy shall be submitted to the City for verification.
8. 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.

### **Fire**

9. 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**

10. 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.
11. No final plat shall be recorded by the developer until the Director of Planning 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 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.
12. 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. 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.
13. Each lot and tract shall be labeled with its respective address.
14. A vacation of easement application shall be submitted, reviewed, and approved for any easement required to be vacated.
15. Add "1<sup>st</sup> Plat" to the title.

RGM/jmt

#### Attachments:

1. Final Plat, date stamped November 22, 2016 – 1 page
2. Location Map