


# City of Lee's Summit

## Department of Planning & Codes Administration

April 22, 2016

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director   
RE: **Appl. #PL2016-048 – FINAL PLAT – Napa Valley, 2<sup>nd</sup> Plat, Lots 89-115 & Tract N; Toscano Investments, LLC, applicant**

### Commentary

This final plat application is for *Napa Valley, 2nd Plat, Lots 89-115 & Tract N*, located on the east side of SW Pryor Rd., approximately ½ mile south of SW M-150 Hwy. The proposed final plat consists of 27 lots and one common area tract on 22.67 acres. The layout of the proposed final plat is substantially consistent with the approved preliminary development plan.

- 27 lots and 1 common area tract on 22.67 acres
- 1.19 units/acre, including common area
- 2.67 units/acre, excluding common area

### 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, 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 requirements to be placed on a City Council agenda are met.

### Recommendation

Staff recommends **APPROVAL** of the final plat. subject to the following conditions:

### Project Information

**Proposed Use:** single-family residential subdivision  
**Number of Lots:** 27 lots and 1 common area tract  
**Land Area:** 22.67 acres; 10.11 acres, excluding common area  
**Density:** 1.19 units/acre; 2.67 units/acre, excluding common area  
**Location:** east of SW Pryor Rd., ½ mile south of SW M-150 Hwy.  
**Zoning:** PMIX (Planned Mixed-Use District)  
**Surrounding zoning and use:**

**North:** PMIX (Planned Mixed-Use District)—Napa Valley, 1st Plat (single-family residential subdivision)

**South:** AG (Agriculture)—large lot residential; R-1 (Single-Family Residential District)—Parkwood at Stoney Creek, 6th Plat (single-family residential subdivision)

**East:** PMIX (Planned Mixed-Use District)—Napa Valley, 1st Plat (single-family residential subdivision)

**West:** PMIX (Planned Mixed-Use District)—Napa Valley, 1st Plat (single-family residential subdivision)

## **Background**

- March 9, 2004 – The Planning Commission approved the preliminary plat (Appl. #2004-10) for *Napa Valley, Lots 1 – 216 and Tracts A through V*.
- April 15, 2004 – The City Council approved the rezoning (Appl. #2004-008) from AG to PMIX and the preliminary development plan (Appl. #2004-009) for Napa Valley by Ordinance No. 5731.
- October 21, 2004 – The City Council approved the final plat (Appl. #2004-172) for *Napa Valley, 1<sup>st</sup> Plat, Lots 1-88 & Tracts A-M* by Ordinance No. 5825.
- December 17, 2015 – The City Council approved the preliminary development plan (Appl. #PL2015-130) for Napa Valley, 2<sup>nd</sup> Plat by Ordinance No. 7775.

## **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.*

### **Public Works**

1. A United States Army Corps of Engineers (USACE) permit may be required for work within any designated wetlands or navigable waters of the United States.
2. Please provide the location of the stream buffer on the final plat.
3. Provide the location of the special flood hazard boundary, along with key base flood elevations for the one percent annual floodplain.
4. Easement locations may need to be adjusted based on comments related to the engineering plans for this development.
5. 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.
6. 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.
7. 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).

8. 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.
9. 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.
10. A Land Disturbance Permit shall be obtained from the Public Works Department if ground breaking will take place prior to the issuance of an infrastructure permit or prior to any land disturbance activities on the site.
11. 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 final plat. A certified copy shall be submitted to the City for verification.
12. 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."
13. A floodplain development permit will be required prior to any work within the one percent annual chance floodplain.

#### **Fire**

14. 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.
15. Developments of one or two family dwellings where the number of dwelling units exceeds fifty shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section 104.3.

#### **Exceptions:**

A. Where there are more than fifty dwelling units on a single public or private fire apparatus road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.

B. The number of dwelling units on a single fire apparatus access road will connect with future development, as determined by the fire code official.

Action required: The second access to the subdivision shall be maintained at SW Blackstone Place and SW Pryor Rd. If it has been removed or not properly maintained, no more than fifty building permits will be issued until the second access is provided by the future completion of the connection for SW Stoney Brook Drive.

#### **Planning and Codes Administration**

16. Sign permits shall be obtained prior to installation of any signs through the Department of Planning and Codes Administration. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.
17. No final plat shall be recorded by the developer until the Director of Planning and Codes Administration 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.
18. A final plat shall be approved and recorded (with the necessary copies returned to Planning and Codes Administration) 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.
19. A vacation of right-of-way application for the segment of SW Blackstone Place between SW Pryor Road and SW Benzinger Drive shall be submitted and approved prior to the final plat approval.
20. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the required sanitary sewer and road improvements. No building permit shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Recorder's Office. All public improvements shall be substantially complete prior to issuance for any building permit.
21. A vicinity map shall be added to the plat.
22. Lots 108-111 are shown to have a general 20' U/E along their SW Blackstone Place frontage. These same lots are also shown to be included in a general 30' U/E extending from Lots 106 to 114 along the same SW Blackstone Place frontage, resulting in conflicting easements along the front of Lots 108-111. The drawing shall be revised to reflect the correct easement width.
23. The west property line dimensions for Lots 101 and 102 shall be labeled.
24. All sections of 5' sidewalk along SW Stoney Brook Drive shall be labeled.
25. The Surveyor's General Note Number 7 shall be revised to refer to Lots 100 and 114, not Lots 102 and 116.
26. Lots 100 and 114 shall be notated with a symbol referencing Surveyor's General Note Number 7 restricting access onto SW Stoney Brook Drive.

RGM/res

Attachments:

1. Final Plat, date stamped April 4, 2016 – 1 page
2. Location Map