

# City of Lee's Summit

## Development Services Department

February 24, 2017

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *RM*  
RE: **Appl. #PL2017-006 – PRELIMINARY PLAT – Creekside at Raintree, Lots 1-31 & Tracts A-F; Landrock Development, LLC, applicant**

### Commentary

This preliminary plat application is for *Creekside at Raintree, Lots 1-31 & Tracts A-F*, located at the southeast corner of SW Raintree Dr and SW Raintree Pkwy. The proposed preliminary plat consists of 31 lots and 6 common area tracts on 15.7 acres. The proposed density complies with the standard for the R-1 (Single-family Residential) zoning district.

- 31 lots and 6 common area tracts on 15.7 acres
- 2.0 units per acre, including common area
- 2.7 units per acre, excluding common area

This application is related to Application #PL2017-005 for a rezoning, also on this agenda.

### Recommendation

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

### Project Information

**Proposed Use:** single-family residential subdivision

**Land Area:** 15.7 acres, including common area; 11.4 acres, excluding common area

**Lots:** 31 lots and 6 common area tracts

**Location:** southeast corner of SW Raintree Dr and SW Raintree Pkwy

**Current Zoning:** CP-2 (Planned Community Commercial District)

**Proposed Zoning:** R-1 (Single-family Residential District)

**Surrounding zoning and use:**

**North (across SW Raintree Dr):** R-1 (Single-family Residential District) – single-family residential

**South:** CP-2 (Planned Community Commercial District) – undeveloped large acreage tracts

**East:** CP-2 – church; single-family residences outside of city limits

**West:** R-1 – single-family residential; Raintree Lake

### Background

- April 6, 1976 – The subject property was annexed into the city. The property was zoned C-2 in Cass County prior to annexation, which became C-1 (General Business District) upon annexation.
- November 1, 2001 – The property's zoning was reclassified from C-1 to its current CP-2 zoning upon the Unified Development Ordinance (UDO) going into effect.

- June 22, 2004 – The Planning Commission denied a request for rezoning (Application #2003-191) from CP-2 to RP-3 (Planned Residential Mixed Use) and preliminary development plan (Application #2003-190) for a 152 unit apartment complex known as Windward Glen.
- March 14, 2006 – The Planning Commission approved a rezoning (Application #2005-343) and preliminary development plan (Application #2005-344) for the 61-acre Raintree Lake PMIX Development. The proposed development was composed of 130 dwelling units made up of single-family homes, duplexes, 4-unit residences and 6-unit residences. The development also included a mini-warehouse facility located immediately north of the Raintree Lake dam spillway.
- March 14, 2006 – The Planning Commission approved a preliminary plat (Application #2005-412) for *Sunrise Point at Raintree*.
- April 6, 2006 – The City Council continued the rezoning and preliminary development plan for Raintree Lake PMIX Development at the applicant's request. The applicant withdrew the application from consideration on September 7, 2006.

### **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 development plan. All public infrastructure must be substantially complete, prior to the issuance of any certificates of occupancy.
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 prior to any ground breaking activities on the site.
7. 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."

8. Upon approval of the proposed rezoning by City Council, the applicant will become responsible to provide the appropriate level of right-of-way maintenance (mowing) during each growing season with the defined area abutting their property as defined and outlined in the City's Mowing Policy, approved by Council on November 3, 2005.

**Planning**

9. All easements shown to be vacated shall require submittal of a separate application.
10. 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."
11. 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.
12. 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.
13. 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.
14. 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/hsj

Attachments:

1. Preliminary Plat, date stamped February 7, 2017
2. Location Map