

City of Lee's Summit

Development Services Department

April 7, 2017

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *ally For RGM*
RE: **Appl. #PL2016-173 – FINAL PLAT – Winterset Valley, 11th Plat, Lots 1392A, 1411-1434 & Tract A11; Gale Communities, Inc., applicant**

Commentary

This final plat is for 25 lots and one common area tract on 9.9 acres for *Winterset Valley, 11th Plat*. Included in this plat is the replat of the existing Lot 1392 in *Winterset Valley, 10th Plat*. The proposed final plat is consistent with the preliminary plat. The density is lower than the R-1 (Single-family Residential) district maximum.

- 25 lots and 1 tract on 9.9 acres
- 2.52 units per acre including common area
- 2.55 units per acre excluding common area
- 4.0 units per acre – maximum allowable density in R-1 (single-family residential)

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 infrastructure requirements are met.

This application is related to Application #PL2017-015 for a preliminary plat, also on this agenda.

Recommendation

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

Project Information

Proposed Use: single-family residential

Land Area: 9.9 total acres

Number of Lots: 25 lots and 1 common area tract

Density: 2.52 units/acre, including common area
2.55 units/acre, excluding common area

Location: north side of 3rd Street; 1/3 mile east of View High Drive

Zoning: R-1

Surrounding zoning and use:

North: R-1– large acreage parcels

South (south of 3rd Street): PMIX (Planned Mixed Use) – New Longview Commercial District

East: R-1 – Winterset Valley subdivision

West: PMIX – future Village at View High development

Background

- June 6, 1967 – The Board of Alderman approved the rezoning (Appl.#1967-011) from A (agriculture) to R-1 (single family residential) for 320 acres located at the northeast corner of 3rd Street and View High Drive for Still Meadow Farm. A plat (Appl. #1967-040) was submitted but never finalized.
- 2003-2014 – Preliminary and final plats have been approved for Winterset Valley, 1st through 10th Plats.

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. Add a note which discusses the results of an investigation into whether abandoned oil or gas wells exist on any of the lots or tracts within the plat boundary. Discuss the method used (i.e., MDNR database, report on file with the City of Lee's Summit, etc.) used to make this determination. Be aware that a visual survey is not sufficient since abandoned oil and gas wells are not visible from the surface.
2. 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.
3. 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.
4. 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).
5. 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.
6. 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.

7. A Land Disturbance Permit shall be obtained from the Development Services Department before any ground-breaking activities are initiated on the site.

Planning

8. The plat corners shall be labeled with their respective State Plane Coordinates.
9. A note shall be added to the plat regarding the presence or absence of any active, inactive and capped oil and/or gas wells on the property. The note shall cite the source of information used to make this determination.
10. Lot 1392 shall be relabeled as Lot 1392A. The lot number change shall be reflected in the plat title and elsewhere on the plat as is appropriate.
11. The "NW" directional prefix shall be added to all street names.
12. The individual City approval paragraphs shall be replaced with the single standard final plat approval paragraph listed in Article 16 of the City's Unified Development Ordinance (UDO).
13. The City Clerk's name shall be revised to read: Denise R. Chisum, MMC, City Clerk.
14. The Planning Commission Secretary's last name shall be revised to read: DeMoro.
15. The City Engineer's name shall be revised to read: George M. Binger, III, P.E., City Engineer.
16. The City's standard final plat approval paragraph and signature lines shall be added to the lower right-hand side of Sheet 2.
17. 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 5.520 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 5.510 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. The following language shall be included in the common area dedication note: "During the period in which the developer maintains effective control of the board 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."
19. The following note shall be added on the 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."
20. A restriction shall be included on the final plat indicating that the 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.
21. A final plat shall be submitted, approved and recorded prior to any building permits being issued.

RGM/hsj

Attachments:

1. Final Plat, date stamped February 23, 2017 – 2 pages
2. Location Map