

City of Lee's Summit

Development Services Department

November 4, 2016

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director *RM*
RE: **Appl. #PL2016-172 – PRELIMINARY PLAT – Arborwalk North, Lots 1-204 and Tracts A-E; GRI Land Investment, LLC, applicant**

Commentary

This application is for a new preliminary plat for the north 80 acres of Arborwalk. The applicant proposes 204 single-family residential lots and five (5) common area tracts. The proposed development standards for the existing PMIX-zoned property mirror the density and setback requirements of a standard R-1 single-family residential development. The proposed preliminary plat is also consistent with the density, use and layout shown for this 80-acre area under the original preliminary plat for Arborwalk. The subject property is proposed to be developed over four (4) phases.

The original preliminary plat for Arborwalk was approved in 2003. The UDO states that if developments intended to be phased over two or more final plats have a gap of two (2) years or more between the approval of any final plat and the submittal of the next final plat, the preliminary plat approval terminates and becomes null and void. If a preliminary plat becomes null and void, a preliminary plat must again be submitted and approved in compliance with the UDO and all other ordinances in effect at the time of resubmittal. The most recent final plat approval for a new Arborwalk phase occurred in 2007. The nine (9) year gap since the previous final plat approval has caused the original preliminary plat to become null and void, and thus requires approval of a new preliminary plat prior to the approval of any final plats for additional phases. Not including the subject 80 acres, approximately 155 acres of unplatted property remain within Arborwalk. Development of the remaining 155 acres shall require approval of preliminary and final plats under separate applications.

- 204 lots and 5 common area tracts on 79.8 acres
- 2.6 units/acre, including common area
- 3.1 units/acre, excluding common area

Recommendation

Staff recommends **APPROVAL** of the preliminary plat, subject to the following:

1. The development shall be subject to the development standards (e.g. density, lot area, setbacks, etc.) of the R-1 zoning district.
2. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the required public improvements listed in the TIA dated November 3, 2016, sanitary sewer improvements and water line 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 Records' Office. All public improvements shall be substantially complete prior to issuance of any building permit within the proposed preliminary plat except where the timing of improvements are specifically noted in the description of condition.
3. The development shall be subject to the recommendations of the Transportation Impact Analysis report dated November 3, 2016.

Project Information

Proposed Use: single-family residential

Land Area: 79.8 acres, including common area; 65.9 acres, excluding common area

Lots: 204

Density: 2.6 units/acre, including common area; 3.1 units/acre, excluding common area

Location: south side of SW Hook Rd, approximately ¼ mile east of SW Pryor Rd

Zoning: PMIX (Planned Mixed Use District)

Surrounding zoning and use:

North (across SW Hook Rd): AG (Agricultural) – single-family residences on large acreage parcels

South: PMIX (Planned Mixed Use District) – future Arborwalk residential phases

East: AG and RLL (Residential Large Lot) – single-family residences on large acreage parcels

West: AG – single-family residences on large acreage parcels

Background

- June 19, 2003 – The City Council approved the rezoning from AG to PMIX (Appl. #2002-224) and preliminary development plan (Appl. #2002-225) for the 376-acre mixed-use Arborwalk development by Ordinance No. 5548.
- August 13, 2003 – A Development Agreement between Gale Communities and the City for the Arborwalk development was executed.
- September 23, 2003 – The Planning Commission approved the preliminary plat (Appl. #2003-208) for *Arborwalk, Lots 1-783, Blocks 1-71 and Tracts A-AAC*.
- 2004-2007 – The City Council approved final plats for *Arborwalk, 1st Plat through Amended Arborwalk, 9th Plat*.

Analysis of the Preliminary Plat

Comparison of Preliminary Plats. The original preliminary plat for Arborwalk proposed standard single-family residential development for the subject 80-acre area. The applicant proposes single-family residential development that is in line with the vision for the area approved as part of the original plan. The table below provides a comparison of the proposed and original preliminary plats. Over the same land area, there are four (4) fewer lots on the proposed preliminary plat compared to the original.

	Proposed Arborwalk North	Original Arborwalk Approval¹
Lots	204	208
Acreage	79.8	79.8
Density	2.6 units/acre	2.6 units/acre

1 – only refers to the subject 80-acre sub-area intended for standard single-family residential within the 376-acre Arborwalk development.

Development Standards. PMIX zoning was approved for Arborwalk to accommodate a range of uses that include attached and detached single-family residential; multi-family residential; apartments; and commercial. Development standards were tailored to suit the various sub-areas comprising the development. The table below provides a comparison of the proposed development standards and the original development standards. Also included in the table are R-1 district development standards in order to provide the UDO's baseline for standard single-family residential development.

Development Standards	Proposed Arborwalk North PMIX Standards	Original Arborwalk PMIX Standards²	R-1 (Single-family Residential) District Standards
Density (max.)	4 units/acre	4 units/acre	4 units/acre
Lot area (min.)	8,400 sq. ft.	7,000 sq. ft.	8,400 sq. ft.
Front yard setback (min.)	30'	25'	30'
Rear yard setback (min.)	30'	25'	30'
Side yard setback (min.)	7.5'	8'	7.5'
Side yard setback (min.) – street side setback for corner lots only	15' or 25'	25'	15' or 25'

2 – only refers to the subject 80-acre sub-area intended for standard single-family residential within the 376-acre Arborwalk development.

As illustrated in the table above, the proposed development standards compare favorably with the originally approved development standards and are identical to the UDO standards for R-1 property. Staff supports the proposed development standards.

Code and Ordinance Requirements

The items in the box below are specific to this development and must be satisfactorily addressed in order to bring the plat into compliance with the Codes and Ordinances of the City.

Engineering

1. The applicant shall enter into a development agreement for the installation of off-site sanitary sewer improvements and off-site water line improvements. The off-site sanitary sewer improvements consist of the installation of a sanitary sewer line along the un-named tributary downstream of the development, to the existing public sanitary sewer along SW Pryor Rd. The off-site water line improvements consist of the installation of approximately 150 feet of water line along Hook Rd. to complete the loop to SW Pryor Rd.
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 any building permits for the development.
7. A Land Disturbance Permit shall be obtained from the City prior to any ground-breaking activities on the site.
8. 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.
9. 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

10. 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 building and life safety issues shall comply with the 2012 International Fire Code and local amendments as adopted by the City of Lee's Summit.

Planning

11. The plat title on the final plat shall include the lot numbers and tract letters.
12. A note regarding the location of the property relative to the 100-year floodplain shall be included on the final plat. The note shall include a citation of the FIRM panel used to make the determination.
13. A note regarding the presence or absence of any active, inactive or capped oil and/or gas wells on the property shall be included on the final plat. The note shall include a citation of the source of information used to make the determination.
14. A note restricting direct vehicular access onto SW Arboridge Drive from Lots 12, 27, 28, 68, 69, 94, 111, 112, 121, 122 and 140-143 shall be included on the plat. Each affected lot shall be notated with a reference to the access restriction note.
15. 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."
16. The following note shall be added to 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.

17. 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.
18. No final plat shall be recorded by the developer until the Director 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.
19. A final plat shall be reviewed, approved and recorded with the Jackson County Recorder of Deeds prior to the issuance of a building permit.

RGM/hsj

Attachments:

1. Transportation Impact Analysis, conducted by Michael Park, P.E., dated November 3, 2016
– 3 pages
2. Traffic Memo submitted by Melissa G. DeGonia, P.E. on behalf of Olsson Associates, dated October 18, 2016
3. Variance request to the Access Management Code submitted by Melissa G. DeGonia, P.E. on behalf of Olsson Associates, dated October 18, 2016 – 2 pages
4. Preliminary Plat, dated October 18, 2016 (6 pages), consisting of:
 - Cover Sheet
 - Existing Conditions
 - Site Plan
 - Grading Plan
 - Utility Plan
 - Street Grades
5. Location Map