

# City of Lee's Summit

## Department of Planning & Codes Administration

July 22, 2016

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director   
RE: **Appl. #PL2016-092 – FINAL PLAT – Legacy Wood, 6<sup>th</sup> Plat, Lots 200-245 and Tracts J, K & L; Wood Family Development, Inc., applicant**

### Commentary

This final plat application is for *Legacy Wood, 6<sup>th</sup> Plat, Lots 200-245 and Tracts J, K & L*, located east of NE Blackwell Road and north of NE Langsford Road. The proposed final plat consists of 46 lots and three common area tracts on 20.06 acres. The proposed final plat is substantially consistent with the approved preliminary plat.

- 46 lots and 3 common area tracts on 20.06 acres
- 2.29 units/acre, including common area
- 2.66 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 infrastructure requirements are met.

### Recommendation

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

### Project Information

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

**Number of Lots:** 46 lots and 3 common area tracts

**Land Area:** 20.06 acres; 17.24 acres, excluding common area

**Density:** 2.29 units/acre; 2.66 units/acre, excluding common area

**Location:** east of NE Blackwell Road and north of NE Langsford Road

**Zoning:** R-1 (Single-Family Residential)

**Surrounding zoning and use:**

**North:** R-1 (Single-Family Residential) – future Legacy Wood 7<sup>th</sup>

**South:** unincorporated Jackson County – large lot residential

**East:** unincorporated Jackson County– large lot residential

**West:** R-1 (Single-Family Residential) – Legacy Wood 2<sup>nd</sup> and 3<sup>rd</sup> Plats

## **Background**

- September 5, 2002 – Ordinance No. 5390 was passed by the City Council annexing this property into the City of Lee's Summit and approving a development agreement.
- August 26, 2003 – The Planning Commission approved the preliminary plat (Appl. #2003-173) of *Legacy Wood*.
- November 6, 2003 – The City Council approved the rezoning (Appl. #2003-174) from AG to R-1 for the *Legacy Wood* subdivision, by Ordinance No. 5639.
- September 2, 2004 – The City Council approved the final plat (Appl. #2004-129) for *Legacy Wood, 1<sup>st</sup> Plat*, by Ordinance No. 5803.
- February 9, 2006 – The City Council approved the final plat (Appl. #2005-398) for *Legacy Wood, 2<sup>nd</sup> Plat*, by Ordinance No.6135.
- September 13, 2007 – The City Council approved the final plat (Appl. #2007-136) for *Legacy Wood, 3<sup>rd</sup> Plat*, by Ordinance No.6484.
- August 20, 2012 – The City Council approved the final plat (Appl. #PL2012-010) for *Legacy Wood, 4<sup>th</sup> Plat*, by Ordinance No. 7220.
- July 29, 2014 – The City Council approved the final plat (Appl. #PL2013-016) for *Legacy Wood, 5<sup>th</sup> Plat*, by Ordinance No. 7499.

## **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. 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 Public Works Department if ground breaking will take place prior to the issuance of a building permit.
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. 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.
9. Sidewalk shall be extended to the plat boundary adjacent to Lot 205 and 245.

#### **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 emergency responders during emergency operations, shall be in accordance with the 2012 International Fire Code.

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

11. 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.
12. 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.
13. 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.
14. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the required waterline 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.
15. Each lot and tract shall be labeled with its respective address.
16. The easement lines along Lots 200 and 244 shall be better defined.
17. Temporary cul-de-sac easement documentation shall be submitted to the City for review prior to the plat being recorded.

18. Off-site easements that are required to be dedicated shall be submitted to the City for review prior to the plat being recorded.
19. A 5' sidewalk shall be extended along the west side of NE Hidden View Lane south of NE Marywood Lane.
20. Clearly label and identify the limits of the utility and landscape easements within Tracts J, K & L.
21. For all lots, except those that are corner lots, the front building line shall be revised to 30'.

RGM/jmt

Attachments:

1. Final Plat, date stamped July 11, 2016 – 2 pages
2. Single Family Residential Compatibility Form, date stamped July 11, 2016 – 3 pages
3. Location Map