

City of Lee's Summit

Development Services Department

June 22, 2018

TO: Planning Commission
PREPARED BY: Jennifer Thompson, Planner
CHECKED BY: Hector Soto, Jr., AICP, Current Planning Manager
RE: **Appl. #PL2018-060 – FINAL PLAT – Eagle Creek 16th Plat, Lots 708-747 and Tract R; Hunt Midwest Real Estate Development, Inc., applicant**

Commentary

This final plat application is for *Eagle Creek 16th Plat, Lots 708-747 and Tract R*, located west of Pryor Road, approximately ½ mile south of Scherer Road. The proposed final plat consists of 40 lots and one common area tract on 11.41 acres. The proposed final plat is substantially consistent with the approved preliminary plat and is the last phase of the single-family portion of the Eagle Creek subdivision.

- 40 lots and 1 tract on 11.41 acres
- 3.50 units/acre, including common area
- 3.57 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.

Zoning and Land Use Information

Location: west of Pryor Road, approximately ½ mile south of Scherer Road
Zoning: R-1 (Single Family Residential District)
Surrounding zoning and use:
North: AG (Agricultural) – vacant undeveloped land and R-1 (Single Family Residential District) – Eagle Creek subdivision
South: R-1 (Single-Family Residential District) – Eagle Creek subdivision
East: R-1 (Single-Family Residential District) – Eagle Creek subdivision

West: R-1 (Single-Family Residential District) – Eagle Creek subdivision

Project Information

Current Use: undeveloped property within the Eagle Creek subdivision

Proposed Use: single-family residential subdivision

Land Area: 11.41 acres (497,019 sq. ft.)

Number of Lots: 40 lots

Number of Tracts: 1 tract

Process

Procedure: The Planning Commission makes a recommendation to the City Council on the final plat within thirty (30) days after the application is submitted to the Planning Commission. The City Council takes final action on the final plat in the form of an ordinance.

Duration of Validity: Final plat approval shall become null and void if the plat is not recorded within one (1) year from the date of City Council approval.

The Director may administratively grant a one (1) year extension, provided no changes have been made to any City ordinance, regulation or approved engineering plans that would require a change in the final plat.

The City Council may grant one additional one (1) year extension, provided that additional engineering plans may be required by the City Engineer to comply with current City ordinances and regulations.

Unified Development Ordinance

Applicable Section(s)	Description
5.090	R-1 (Single Family Residential)
16.140, 16.150	Final Plats

Background

- September 11, 2001 – The Planning Commission approved the preliminary plat (Appl. #2001-121) for *Eagle Creek, Lots 121-169 & 229-743*, subject to rezoning.
- December 6, 2001 – The City Council approved the rezoning (Appl. #2001-119) from AG (Agricultural) to R-1 (Single-Family Residential) and R-3P (Planned Low-Density Multi-Family, now RP-3) and preliminary development plan (Appl. #2001-120) for the Eagle Creek development by Ord. #5240.
- September 16, 2004 – The City Council approved Amendment No. 5 (by Ord. #5814) to the Pryor and Hook Road Development Agreement between the City and Hunt Midwest Real Estate Development, Inc. This agreement permitted the release of an additional 120 building permits, for a total of 620 dwelling units, pursuant to the phasing schedule of the improvements to Hook Road.
- March 6, 2006 – The City Council directed staff to disregard subpart Section 8 of the Pryor and Hook Road Development Agreement, dated April 10, 1998, as amended, so as to allow the construction of 820 dwelling units.

- Since 2006 – The City completed the improvement of the Hook Road and Pryor Road intersection, as well as the widening of Hook Road west of Pryor Road, and Pryor Road north of Hook Road to interim standards. With these improvements, there is no limitation related to traffic on building permits within the Eagle Creek subdivision.
- June 2, 2011 – The City Council approved the final plat (Appl. #PL2011-023) for *Eagle Creek, 12th Plat, Lots 510-556* by Ord. #7058.
- September 19, 2013 – The City Council approved the final plat (Appl. #PL2013-033) for *Eagle Creek, 13th Plat, Lots 557-616* by Ord. #7361.
- August 1, 2016 – The City Council approved the final plat (Appl. #PL2016-017) for *Eagle Creek, 14th Plat, Lots 617-660 and Tract N* by Ord. #7923.
- March 6, 2018 – The City Council approved the final plat (Appl. #PL2017-011) for *Eagle Creek, 15th Plat, Lots 661-707 and Tracts O, P and Q* by Ord. #8349.

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 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 City if ground breaking will take place prior to the issuance of an infrastructure permit, building permit, or prior to the approval of the Engineering Plans.
7. SW Ladderback Drive is a residential collector street. There will be no access to residential lots from SW Ladderback Drive.

Planning

8. A final plat shall be approved and recorded prior to any building permits being issued.

9. 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 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.
10. 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.
11. Addressing shall be labeled prior to recording of the plat.

Attachments:

1. Final Plat, dated May 31 , 2018 – 2 pages
2. Location Map