

City of Lee's Summit

Department of Planning & Codes Administration

September 23, 2016

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director *LLM For RGM*
RE: **Appl. #PL2016-147 – PRELIMINARY PLAT – Village at View High, approximately 74 acres located at the northeast corner of SW View High Drive and SW 3rd Street; Engineering Solutions LLC, applicant**

Commentary

The application is for the preliminary plat of *Village at View High, Lots 1-5 & Tract A*, located at the northeast corner of SW View High Drive and SW 3rd Street. The proposed subdivision is for an approximately 74 acre mixed use development. The Village at View High will be a phased development with the first phase consisting of an apartment development, which will be located within Lot 1 of this plat.

A rezoning/conceptual plan application for the project area (Appl. #PL2016-145) and a preliminary development plan application for the apartments (Appl. #PL2016-146), have been submitted and are also on this agenda for consideration.

- 5 lots and 1 common area tract on 74 acres

Recommendation

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

1. Approval of the preliminary plat is contingent upon approval of the rezoning and conceptual plan application (Appl. PL#2016-145).
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 September 22, 2016, sanitary sewer improvements and 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 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.

Project Information

Proposed Use: mixed use

Current Zoning: R-1 (Single-Family Residential District)

Proposed Zoning: PMIX (Planned Mixed Use District)

Land Area: 74 acres

Number of Lots: 5 lots and 1 common area tract

Location: NE corner of SW View High Drive and SW 3rd Street

Surrounding zoning and use:

North: AG (Agricultural)—vacant ground and R-1 (Single-Family Residential)—single family residence

South (across SW 3rd Street): PMIX (Planned Mixed Use)—New Longview Commercial

East: R-1 (Single-Family Residential)—Winterset Valley Subdivision

West (across SW View High Drive): Kansas City, MO property—Fred Arbanas Golf Course

Background

- July 15, 1964 – The Planning and Zoning Chairman of Jackson County Planning Commission approved the minor plat (Appl. #1964-009) for *Berbiglia Heights, Lots 2-4* and was recorded with the Jackson County Recorder's Office.
- December 31, 1964 – The majority of the subject property was annexed into the City of Lee's Summit, by Ordinance No. 812.
- June 6, 1967 – The City Council approved a rezoning from AG (Agricultural) to R-1 for the *Still Meadow Farm* residential subdivision (for the majority of the subject property), by Ordinance No. 1005 (Appl. #1967-011).
- August 29, 1972— Approximately 180 feet of the subject property, east of the View High Drive right-of-way, was annexed into the City of Lee's Summit, by Ordinance No.1389.
- July 23, 1997 – A minor plat (Appl. #1997-214) for *Berbiglia Heights, Lot 5* was approved by City staff and was recorded with the Jackson County Recorder's Office.

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.

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. All public infrastructure must be substantially complete, prior to the issuance of any building permits.
2. All Engineering Plan Review and Inspection Fees shall be paid for 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).
3. A Land Disturbance Permit shall be obtained from the City prior to any ground-breaking.
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. 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 approval of the plat. A certified copy shall be submitted to the City for verification.

6. The temporary cul-de-sac shall be contained within Lot 2 of Village at View High.

Fire

7. 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 of fire fighters and emergency responders during emergency operations, shall be in accordance with the 2012 International Fire Code.

Planning and Codes Administration

8. Sign permits shall be obtained prior to installation of any signs through the Department of Planning and Codes Administration. All proposed signs must comply with the sign requirements of Article 13 of the UDO.

9. A final plat shall be approved and recorded 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.

10. 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.

11. Ownership and maintenance of all common area tracts shall be dedicated to the property owners association.

12. A 30-foot building line shall be provided along the frontage of NW View High Drive.

13. A portion of the utility easement bordering Tract A may need to be reduced in width.

14. The plat title shall be revised to read "Village at View High, Lots 1-5 and Tract A.

RGM/jmt

Attachments:

1. Preliminary Plat, date stamped September 16, 2016— 1 page
2. Location Map