

City of Lee's Summit

Development Services Department

August 4, 2017

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director of Planning and Special Projects *J.R.S.*
RE: **Appl. #PL2017-131 – FINAL PLAT – Legacy Wood, 7th Plat, Lots 246 thru 278 & Tracts M & N; Wood Family Development, applicant** *R.M.*

Commentary

This application is for the final plat of *Legacy Wood, 7th Plat, Lots 246 thru 278 & Tracts M & N*, located east of NE Blackwell road and north of NE Langsford Road. The proposed final plat consists of 33 lots and two common area tracts on 18.74 acres. The proposed final plat is substantially consistent with the approved preliminary plat and is the last phase of the Legacy Wood subdivision.

- 33 lots and 2 tracts on 18.74 acres
- 1.76 units/acre, including common area
- 2.12 units/acre, excluding common area
- 4.0 units per acre – maximum allowable density in R-1

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 subdivision

Number of Lots: 33 lots and 2 common area tracts

Land Area: 18.74 acres; 15.63 acres, excluding common area

Density: 1.76 units/acre, including common area; 2.12 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: AG (Agricultural) – vacant ground – Legacy Park

South: R-1 (Single-Family Residential District) – Legacy Wood subdivision

East: Unincorporated Jackson County – large lot residential

West: R-1 (Single-Family Residential District) – Legacy Wood subdivision

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, 1st Plat, Lots 1 thru 39 and Tracts A thru C, by Ordinance No. 5803.
- February 9, 2006 – The City Council approved the final plat (Appl. #2005-398) for Legacy Wood, 2nd Plat, Lots 40 thru 69, by Ordinance No. 6135.
- September 13, 2007 – The City Council approved the final plat (Appl. #2007-136) for Legacy Wood, 3rd Plat, Lots 70 thru 123 and Tracts F and G, by Ordinance No. 6484.
- August 20, 2012 – The City Council approved the final plat (Appl. #PL2012-010) for Legacy Wood, 4th Plat, Lots 124-155, by Ordinance No. 7220.
- July 29, 2014 – The City Council approved the final plat (Appl. #PL2013-016) for Legacy Wood, 5th Plat, Lots 156-199 and Tract H, by Ordinance No. 7499.
- July 26, 2016 – The Planning Commission recommended approval of the final plat (Appl. #PL2016-092) for Legacy Wood, 6th Plat, Lots 200-245 and Tracts J, K & L.

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. The As-graded Master Drainage Plan (MDP) 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.

4. 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).
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. A Land Disturbance Permit shall be obtained from the Development Services Department if ground breaking will take place prior to the issuance of an infrastructure permit or prior to the approval of the Engineering Plans.
7. The building line crosses the easement line on Lots 249, 250, and 252. The building lines shall be trimmed back so that they are not in the easements.

Fire

8. All issues pertaining to life safety and property protection shall be in accordance with the 2012 International Fire Code.
9. No building permits shall be issued for this plat until there is substantial completion of the bridge/culvert on NE Legacy Wood Drive.

Planning

10. 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.
11. 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.
12. All lots and tracts shall be labeled with their respective addresses.

RGM/jmt

Attachments:

1. Final Plat, date stamped July 18, 2017—2 pages
2. Single Family residential Compatibility Form—3 pages
3. Location Map