

City of Lee's Summit

Development Services Department

May 3, 2019

TO: Planning Commission
PREPARED BY: Hector Soto, Jr., AICP, Planning Manager
CHECKED BY: Kent D. Monter, P.E., Development Engineering Manager
RE: **Appl. #PL2019-124 – FINAL PLAT – Summit Orchard, Lot 4A-4E;
Townsend Summit, LLC, applicant**

Commentary

This final plat is a replat of Summit Orchard, 1st Plat, Lot 4 for a future commercial phase of the Summit Orchard development. The proposed plat creates five (5) lots from the existing Lot 4 and establishes the necessary easements for an internal drive network and utilities. The proposed final plat is consistent with the layout depicted on the preliminary development plan.

Subdivision-Related Public Improvements

In accordance with UDO Section 7.340, 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: NE corner of NW Chipman Rd and NW Ward Rd

Zoning: PMIX (Planned Mixed Use District)

Surrounding zoning and use:

North: PMIX – Summit Square apartments currently under construction

South (across NW Chipman Rd): R-1 – single-family residential

East: PMIX – Summit Square apartments

West: PMIX – Summit Technology campus

Project Information

Current Use: vacant ground

Proposed Use: future Summit Orchard commercial phase

Land Area: 2.6 acres (113,256 sq. ft.) – Lot 4A
 6.1 acres (265,716 sq. ft.) – Lot 4B
 4.3 acres (187,308 sq. ft.) – Lot 4C
 0.9 acres (39,204 sq. ft.) – Lot 4D
2.1 acres (91, 478 sq. ft.) – Lot 4E
16.06 total acres (699,738 sq. ft.)

Number of Lots: 5

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
4.240	PMIX (Planned Mixed Use District)
7.140, 7.150	Final Plats

Background

- May 20, 1999 – The City Council approved the rezoning from PI (then M-1) to PMIX (then PUD) and the preliminary development plan (Appl. #1999-014) for the 333-acre Summit Technology Campus by Ord. #4793. The plan included the site of the Summit Technology Campus, portions of Summit Fair, Summit Place, Summit Innovation Center, and the proposed Summit Orchards.
- August 24, 2006 – The City Council approved a rezoning (Appl. #2005-271) from CP-2 and PMIX to PMIX and a preliminary development plan (Appl. #2005-272) for the Summit Fair shopping center by Ord. #6262. The site encompasses 58.7 acres generally bounded by NW Chipman Road on the south, US-50 Hwy. on the west, and NW Blue Parkway on the east and north.
- December 12, 2006 – The Planning Commission approved the preliminary plat (Appl. #2006-230) for *Summit Fair, Lots 1-13 and Tracts A-F*.
- April 13, 2007 – A preliminary development plan (Appl. #2007-073) was submitted to the Planning & Development Department for the proposed 725,240 sq. ft. Summit Fair Phase II shopping center development. The proposed Summit Fair Phase II site encompassed approximately 90 acres generally bounded by I-470 on the north, Ward Road on the south, Blue Parkway on the west and the railroad right-of-way on the east. The application was

withdrawn by the applicant prior to the application being considered by the Planning Commission or the City Council.

- May 1, 2008 – The City Council approved the final plat (Appl. #2007-243) of *Summit Fair, 2nd Plat, Lots 8, 10-14 and Tract C* by Ord. #6622.
- January 30, 2009 – The minor plat (Appl. #2008-181) of *Fleck, Lucy and Lilly, Lots 1 & 2* was recorded with Jackson County. Lot 2 is an undeveloped 1-acre parcel that will be incorporated into the Summit Place development.
- July 10, 2014 – The City Council approved a rezoning from PI to PMIX and preliminary development plan (Appl. #PL2011-119) for the Summit Place development by Ord. #7496. The Summit Place development is located on the west 43 acres of the 90-acre site previously proposed for Summit Fair Phase II.
- June 4, 2015 – The City Council approved a preliminary development plan (Appl. #PL2015-034) for approximately 38 acres comprising the Summit Innovation Center development, located at the northeast corner of NW Ward Road and the future NW Tudor Road extension, by Ord. #7637.
- May 19, 2016 – The City Council approved a preliminary development plan (Appl. #PL2016-039) for the Summit Orchards mixed use development, approximately 46 acres in size, generally located at the northeast corner of NW Chipman Road and NW Ward Road, by Ord. #7885.
- August 18, 2016 – The City Council approved the final plat (Appl. #PL2016-120) of *Summit Orchard, 1st Plat, Lots 1-4 & Tract A* by Ordinance No. 7946.

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 a manner set forth in the City's Unified Development Ordinance (UDO) Section 7.340. 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. 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 or approval of the final plat. A certified copy shall be submitted to the City for verification.
7. 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.
8. All ADA sidewalk ramps shall be constructed by the developer at the time the street is constructed.
9. All sidewalks adjacent to a common area tract, unplatted land or any land where no structure is intended to be built, and is required, shall be constructed by the developer at the time the street is constructed.

Planning

10. Revise the approval certification paragraph above the Mayor's signature line to reflect the updated plat title.
11. A final plat shall be approved and recorded prior to any building permits being issued.

Attachments:

1. Final Plat, date stamped April 26, 2019
2. Location Map