# City of Lee's Summit
## Development Services Department

February 8, 2019

TO: Planning Commission

PREPARED BY: Hector Soto, Jr., AICP, Current Planning Manager

CHECKED BY: Kent D. Monter, PE, Development Engineering Manager

RE: **Appl. #PL2018-099 – FINAL PLAT – Oakview, Lots 1-5; Oakview Capital Partners, LLC, applicant**

## Commentary

The applicant proposes to re-plat an existing 7.4-acre lot into five (5) lots for an industrial and commercial development. The proposed final plat is consistent with the approved 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:* 1410 NE Douglas Street (Lot 2, *Polytainers Addition, Lots 1 & 2)*

*Zoning:* PI (Planned Industrial District) and CP-2 (Planned Community Commercial)

*Surrounding zoning and use:*

   *North:* CP-2—Saint Luke's East Hospital

   *South (across NE Victoria Drive):* PI—office, warehousing/storage, manufacturing

   *East (across NE Douglas Street):* CP-2—theater and retail

   *West:* PI—office/warehouse, manufacturing

## Project Information

*Current Use:* vacant ground

*Proposed Use:* industrial and commercial development

*Land Area:* 7.4 acres

| *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 |
| --- | --- |
| 4.190, 4.220 | CP-2 (Planned Community Commercial) and PI (Planned Industrial) |
| 7.140, 7.150 | Final Plats |

## Background

- September 16, 1959 – The Polytainers property and surrounding was annexed into the City of Lee's Summit.

- March 27, 1962 – The City adopted Zoning Ordinance #715. The subject property was identified as R-1 (Single-Family Residential) under this zoning ordinance.

- October 21, 1980 – The City Council approved a rezoning (Appl. #1980-014) from R-1 to M-2 (Heavy Industrial) by Ord. #2151.

- March 22, 1989 – The minor plat (Appl. #1989-136) of *Lee's Summit North Industrial Park, First Plat* was recorded at the Jackson County Recorder of Deeds Office by Instrument #1989I0902903.

- March 12, 1990 – The Planning Commission approved the preliminary plat (Appl. #1990-134) of *Lee's Summit North Industrial Park, Lots 1-12*.

- November 1, 2001 – The Unified Development Ordinance (UDO) became effective and changed District M-1 (Light Industrial) to District PI (Planned Industrial).

- March 21, 2016 – The minor plat (Appl. #PL2016-002) of *Polytainers Addition, Lots 1 & 2* was recorded at the Jackson County Recorder of Deeds Office by Instrument #2016E0023636.

- December 14, 2017 – The City Council approved a special use permit (Appl. #PL2017-205) for an indoor storage facility located at 1410 NE Douglas St., for a time period of 25 years, by Ord. #8301. No preliminary development plan was required because the storage facility is located on PI zoned property, the applicant agreed to meet all ordinance requirements and no modifications were requested.

- June 28, 2018 – The City Council approved a rezoning for 3.3 acres of the subject property from PI to CP-2 and also approved a preliminary development plan for the future development of the subject property by Ordinance No. 8403.

## 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. Revise the sidewalk location to match revisions to public infrastructure plans.

2. 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.

3. 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.

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. 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.

7. 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 Final Development Plan / Engineering Plans.

**Planning**

8. Each lot shall be labeled with its respective address.

9. The final plat shall not be recorded by the developer until the Director of Development Services and the City Attorney have reviewed and approved the Easements, Covenants and Restrictions Agreement referenced on the plat related to the perpetual maintenance of the shared private drives contained within the subject development. In addition, the approved Easements, Covenants and Restrictions Agreement shall be recorded at the time of the recording of the final plat.

10. Off-premise signs are prohibited under the UDO. The existing Polytainers shall be removed from the subject property. All signage on the property shall be in compliance with the sign regulations of the UDO.

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

**GIS**

12. Radius and length shall be listed on both curves on the driveway off NE Douglas St.

13. The vacation of right-of-way document number shall be listed on the plat if it is available at the time the plat is recorded.

Attachments:
1. Final Plat, date stamped November 27, 2018 – 1 page
2. Location Map