



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-308 – REZONING from AG and R-1 to R-1 and PRELIMINARY DEVELOPMENT PLAN – Winterset Valley, 14 th Plat, Lots 1488-1521 & Tracts A-E
Applicant	Engineering Solutions, LLC
Location	Generally located ¼ mile north of SW 3 rd St and ¼ east of SW View High Dr
Planning Commission Date	December 10, 2020
Heard by	Planning Commission and City Council
Analyst	Hector Soto, Jr., AICP, Planning Manager
Checked By	Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: February 4, 2020; September 22, 2020; and September 29, 2020

Neighborhood meeting conducted: The requirement for an applicant to hold in-person neighborhood meetings pursuant to UDO §2.205 has been suspended during the period of the Emergency Declaration which will end on January 31, 2021, unless earlier terminated or further extended by the Mayor. Pursuant to the Mayor's Emergency Order, Applicants are encouraged to use all available alternative methods of communication to inform neighbors of each pending application and solicit neighbors' input and feedback and provide answers to questions about proposed land development.

Newspaper notification published on: November 21, 2020

Radius notices mailed to properties within 300 feet on: November 20, 2020

Site posted notice on: November 21, 2020

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Attachments

Transportation Impact Analysis, dated December 3, 2020

Preliminary Development Plan set, consisting of:

- Preliminary Development Plan, signed and sealed November 10, 2020
- Rezoning Exhibit, signed and sealed November 10, 2020
- Grading Plan, signed and sealed November 10, 2020
- Utility Plan, signed and sealed November 10, 2020

Modification Narrative, dated November 10, 2020

Macro Storm Water Drainage Study

- Signed and sealed October 7, 2020 – 7 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions, LLC / Engineer
Applicant’s Representative	Matt Schlicht
Location of Property	¼ mile north of SW 3 rd St and ¼ east of SW View High Dr
Size of Property	±10.9 acres (475,378 sq. ft.) – rezoning limits ±24.8 total acres (1,080,288 sq. ft.) – preliminary development plan limits
Number of Lots	34 lots and 5 common area tracts
Density	1.4 units/acre
Current Zoning	AG (Agricultural) and R-1 (Single-family Residential)
Proposed Zoning	R-1
Comprehensive Plan Designation	Low-Density Residential
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed rezoning request. The City Council takes final action on the rezoning request in the form of an ordinance.</p> <p>The Planning Commission makes a recommendation to the City Council on the proposed rezoning and preliminary development plan. The City Council takes final action on the rezoning and preliminary development plan.</p> <p>Duration of Validity: Rezoning approval by the City Council shall be valid upon approval and has no duration period associated.</p> <p>Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months</p>

	from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon written request.
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Current Land Use
The subject property is composed of vacant, unplatted parcels.

Description of Applicant’s Request
<p>The developer proposes a preliminary development plan covering approximately 25 acres for the next phase of the Winterset Valley single-family residential subdivision. Of these 25 acres, 14 acres have existing R-1 zoning. The remaining 11 acres are zoned AG and are proposed to be rezoned to R-1 as part of this application. This next phase of the Winterset Valley subdivision consists of 34 lots and 5 common area tracts.</p> <p>A preliminary development plan accompanies the rezoning application because the applicant requires a modification to the maximum allowable cul-de-sac length. The proposed preliminary development plan also serves as the preliminary plat for Winterset Valley, 14th Plat, as allowed under UDO Section 7.120.</p>

2. Land Use

Description and Character of Surrounding Area
The subject property is located at the northwestern edge of the Winterset Valley single-family residential subdivision. To the south and east are existing phases of Winterset Valley. To the north and west is undeveloped property.

Adjacent Land Uses and Zoning

North:	Undeveloped acreage / R-1 (Single-family Residential) and AG (Agricultural)
South:	Single-family residential / R-1
East:	Single-family residential / R-1 and AG
West:	Undeveloped acreage / R-1

Site Characteristics
The property straddles a ridge that generally slopes to the east and west toward natural drainageways that ultimately drain to the northeast to Cedar Creek.

Special Considerations
N/A

Setbacks

Yard	
Front	30'

Side	7.5'
Rear	30'

3. Unified Development Ordinance (UDO)

Section	Description
2.240,2.250,2.60,2.300	Rezoning with preliminary development plan
4.090	Zoning Districts
7.060	Modifications

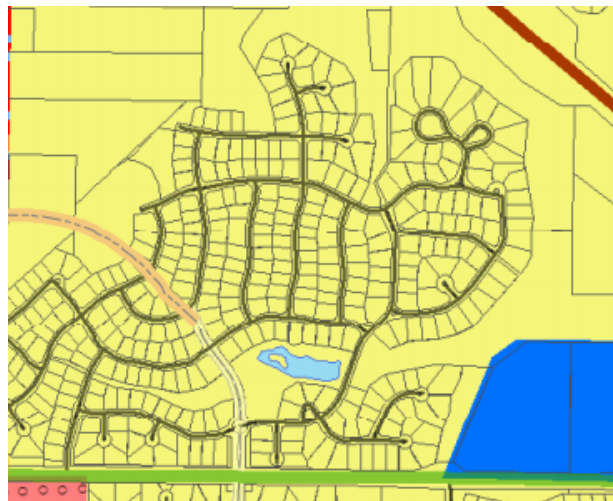
The proposed single-family subdivision phase is consistent with the permitted single-family residential land use allowed by right under R-1 zoning.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.2 Objective 1.4
Residential Development	Objective 3.1 Objective 3.2

Comprehensive Plan

The single-family residential use is consistent with the Low-density Residential land use recommended by the Comprehensive Plan for the area. The entire Winterset Valley subdivision is a single-family residential development.



5. Analysis

Background and History

The applicant proposes to proceed with a rezoning and preliminary development plan application for a continuation of the Winterset Valley subdivision. An additional 34 lots and 5 common area tracts are proposed for the northwestern limits of the subdivision.

- June 6, 1967 – The Board of Alderman approved the rezoning (Appl.#1967-011) from A (agriculture) to R-1 (single family residential) for 320 acres located at the northeast corner of 3rd Street and View High Drive for Still Meadow Farm. A plat (Appl. #1967-040) was submitted but never finalized.
- April 11, 2017 – The Planning Commission approved a preliminary plat (Appl. #PL2017-015) for Winterset Valley, Lots 1411-1505 and Tracts B11-B20, totaling 53 acres. The subject application includes 12 acres that were covered by the previously approved preliminary plat. The layout of those 12 acres is being revised as part of the subject application.

Compatibility

The proposed single-family residential lots and common area tracts are compatible with the existing single-family lots and common area tracts of the Winterset Valley subdivision.

Adverse Impacts

The proposed development will not negatively impact the use or aesthetics of any neighboring property, nor does it negatively impact the health, safety and welfare of the public. The use is consistent with the existing nature of the existing Winterset Valley subdivision.

Public Services

The proposed preliminary development plan will not impede the normal and orderly development and improvement of the surrounding property. The necessary water, sanitary sewer and storm sewer improvements will be extended to serve the proposed development, including the construction of a new storm water detention basin at the western edge of the subdivision phase.

Modifications

Cul-de-sac length. Modification requested.

- Required – cul-de-sacs longer than 500 feet, but no longer than 1,000 feet, may be allowed when it is impracticable to provide a second means of access due to physical limitations or topography
- Proposed – NW Lovins Drive has a length of approximately 1,170 feet
- Recommended – Existing topography between the proposed phase and the existing Winterset Valley phase to the east does not allow for additional street connectivity in order to provide a second point of access and reduce the cul-de-sac length.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and Design and Construction Manual (DCM).

6. Recommended Conditions of Approval

Site Specific

1. A modification shall be granted to the maximum allowable 1,000 foot cul-de-sac length, to allow a cul-de-sac length of approximately 1,170 ft.

Standard Conditions of Approval

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 site development 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 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 Article 3, Division V, Sections 3.540 and 3.550 and Article 3, Division IV, Section 3.475 of the UDO, respectively.
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 groundbreaking will take place prior to the issuance of an site development permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
8. 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.
9. A restriction note shall be included on the final plat stating: "Individual lot owner(s) shall not change or obstruct the drainage flow paths on the lots, as shown on the Master Drainage Plan, unless specific application is made and approved by the City Engineer."
10. 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.
11. All ADA sidewalk ramps shall be constructed by the developer at the time the street is constructed.

12. 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.
13. No final plat shall be recorded by the developer until the Director of Development Services and the City Attorney have reviewed and approved the declaration of covenants and restrictions pertaining to common property as prepared in accordance with Section 4.290 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 4.280 of the UDO. In addition, the approved Declaration of Covenants, Conditions and Restrictions shall be recorded prior to the recording of the final plat.
14. A final plat shall be approved and recorded prior to any building permits being issued.