



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-097 – FINAL PLAT
Applicant	Gale Communities, Inc.
Property Address	Winterset Valley, Lots 1450A, 1451A and Tract E12; Gale Communities, Inc., applicant
Planning Commission Date	July 9, 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: N/A
Neighborhood meeting conducted: N/A
Newspaper notification published on: N/A
Radius notices mailed to properties within 300 feet on: N/A
Site posted notice on: N/A

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Attachments

Final Plat, dated March 27, 2020
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Gale Communities, Inc. / Developer
Applicant's Representative	David Gale
Location of Property	2924 and 3000 NW Audubon Ln
Size of Property	±0.98 Acres (33,110 sq. ft.)
Number of Lots	2 lots and 1 common area tract
Density	2.0 units/acre
Zoning	R-1 (Single-family Residential)
Comprehensive Plan Designation	Low-Density Residential
Procedure	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>

Current Land Use
The subject property is composed of two vacant, platted single-family residential lots and a portion of NW Audubon Ln proposed to be vacated under separate application.

Description of Applicant's Request
The developer proposes to replat two existing lots and proposed vacated portion of NW Audubon Ln right-of-way into two reconfigured lots and a common area tract.

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 area has a significant amount of slope from southeast to northwest that leads to a natural drainageway just to the west of the site.

Special Considerations

N/A

Setbacks

Yard	
Front	30'
Side	7.5'
Rear	30'

3. Unified Development Ordinance (UDO)

Section	Description
4.090	R-1 (Single-family Residential District)
7.140, 7.150	Final Plats

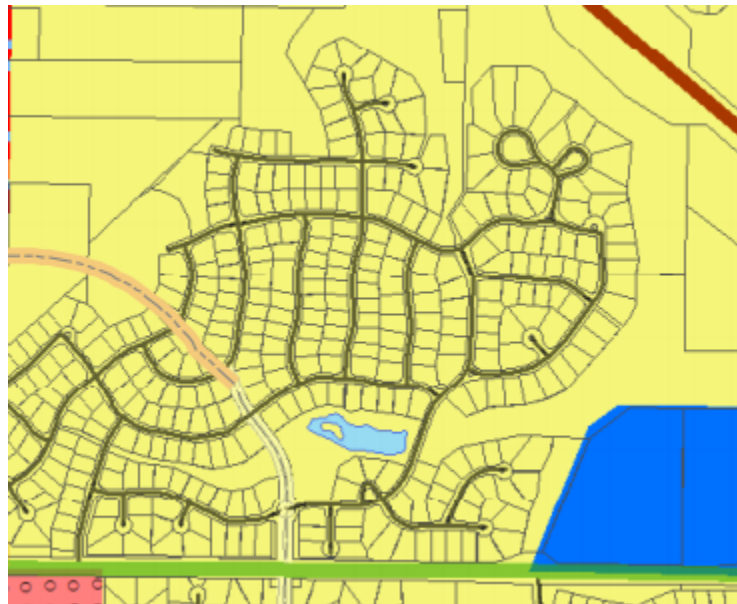
The proposed final plat is a replat yielding 2 lots and 1 common area tract on 0.98 acres from 2 existing lots and a portion of vacated NW Audubon Ln right-of-way. The final plat is generally consistent with the approved preliminary plat, except that the NW Audubon Ln will now terminate at NW Carson Dr. The City does not require that NW Audubon Ln extend west of NW Carson Dr. Access to the undeveloped property to the west is available via NW Thoreau Dr to the south.

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 replat Lots 1450, 1451 and a portion of NW Audubon Ln that is proposed to be vacated under separate application into two reconfigured lots and a common area tract. The replat stems from the elimination of an extension of NW Audubon Ln west of NW Carson Dr. The subject segment of right-of-way will be dedicated as an open space common area tract as part of this plat. The City has no requirement that NW Audubon Ln be extended to the west as originally intended.

- August 15, 2019 – The City Council approved the final plat (Appl. #PL2018-059) for *Winterset Valley, 12th Plat, Lots 1435 thru 1471 & Tracts A12 thru D12* by Ordinance No. 8697. The subject lots and right-of-way were dedicated as part of this plat.

Subdivision-Related Public Improvements

In accordance with UDO Section 7.340, prior to adoption of an ordinance approving the final plat by City Council, 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.

The subject property is served by existing public infrastructure. However, some street and storm sewer construction is required as part of the termination of NW Audubon Ln west of NW Carson Dr.

Compatibility

The proposed single-family residential lots and common area tract 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 subdivision.

Public Services

The proposed plat will not impede the normal and orderly development and improvement of the surrounding property. The necessary water, sanitary sewer and storm sewer improvements to serve the area already exist.

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

Standard Conditions of Approval

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. 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).
3. 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.

4. 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.
5. 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."
6. 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.
7. A final plat shall be approved and recorded prior to any building permits being issued.