



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-378 – FINAL PLAT – Whispering Woods, Lots 29A-33A
Applicant	Whispering Woods Land, LLC
Property Address	1709, 1713, 1717, 1721 and 1725 SW 27 th St
Planning Commission Date	March 11, 2021
Heard by	Planning Commission and City Council
Analyst	Jennifer Thompson, Senior Planner
Checked By	Hector Soto, Jr., AICP, Current Planning Manager 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, revision date February 17, 2021— 1 page

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Whispering Woods Land, LLC / Owner
Applicant’s Representative	Steve Johnson
Location of Property	Generally located at the northeast corner of SW Pryor Rd and SW Hook Rd
Size of Property	±1.29 Acres
Zoning	R-1 (Single-Family Residential District)
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 property is currently comprised of five platted residential lots. Presently, four out of the five lots have building permits issued and are under construction.

Description of Applicant’s Request
This application is for a final plat of <i>Whispering Woods Lots 29A 33A</i> , a replat of a portion of <i>Whispering Woods 1st Plat, Lots 1-33 and Tracts A-D</i> . The proposed final plat consists of 5 lots on 1.29 acres. Currently there is a 20’ wide tract (Tract D), located adjacent to the rear property lines

for the subject lots. The intent of the plat is to adjust the rear lot lines by removing Tract D. Each lot will absorb the 20’ width of the former tract creating a deeper lot and new lot lines for each lot. Originally, Tract D was platted with the intent for this area to serve as a walking trail. However, it has since been identified that this trail and trail connection to adjacent properties would be better served elsewhere within the Whispering Woods subdivision.

2. Land Use

Description and Character of Surrounding Area

The subject property is located in the Whispering Woods subdivision. The property is surrounded by the Whispering Woods single-family residential subdivision. Large-lot residential is also located immediately south of the property.

Adjacent Land Uses and Zoning

North (across 27th St.):	Whispering Woods subdivision / R-1
South:	Whispering Woods subdivision / R-1; and large lot single-family homes / AG
East:	Future phase of Whispering Woods subdivision / R-1
West across SW River Run Dr.:	Whispering Woods subdivision / R-1

Site Characteristics

The property is comprised of 5 lots within a residential subdivision with active construction. Four out of the 5 lots have active building permits and are currently under construction.

Setbacks

Yard	Proposed	Required
Front	30’	30’
Side	7.5’	7.5’
Rear	20’	Modification granted to allow 20’

3. Unified Development Ordinance (UDO)

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

The final plat is a replat for five lots within the Whispering Woods, 1st Plat subdivision.

4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Residential Development	Objective 3.1 Objective 3.2 Objective 3.3

The proposed replat of Lots 29-33 does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Comprehensive Plan. The subject tract is no longer needed due to the relocation of a future walking trail.

5. Analysis

Background and History

This application is for a final plat of *Whispering Woods Lots 29A- 33A*, a replat of a portion of *Whispering Woods 1st Plat, Lots 1-33 and Tracts A-D*. Currently, there is a 20’ wide tract (Tract D), located adjacent to the rear property lines for Lots 29-33. The intent of the plat is to adjust the rear lot lines by removing Tract D. Each lot will absorb the 20’ width of the former tract creating a deeper lot and new lot lines for each lot.

- 5 lots on 1.29 acres
- 3.87 units/acre

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 been issued for the subdivision-related public infrastructure. There is no need to place this application on hold following Planning Commission.

- July 6, 2006 – The application for the rezoning from AG to R-1 for the Whispering Woods residential subdivision (Appl. #2006-281), was voided per request from the applicant.
- July 6, 2006 – The application for the preliminary plat for the Whispering Woods residential subdivision (Appl. #2006-282), was voided per request from the applicant.
- June 1, 2017 – The City Council approved the rezoning from AG to R-1 on approximately 76 acres and the preliminary development plan for Whispering Woods residential subdivision (Appl. #2016-219), by Ordinance No. 8177.
- October 3, 2019 – The City Council approved the final plat (Appl. #PL2017-192) of *Whispering Woods, 1st Plat, Lots 1-33, and Tracts A, B, C, & D* by Ordinance No. 8732. The plat was recorded with the

Jackson County Recorder of Deeds office by Instrument #2019E0093077. The subject 20'-wide utility easement was dedicated as part of this plat.

Compatibility

The lots are compatible with the surrounding property. The subject property and surrounding area is currently being developed as the Whispering Woods residential subdivision. The future phase of Whispering Woods, 2nd Plat, immediately to the east is not proposing a 20' tract along the rear of the properties. The subject lots and the future lots to the east will have the same lot depths.

Adverse Impacts

The proposed replat 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.

Public Services

Public facilities and services have been constructed and made available as part of the plan to meet the demand for services generated by the proposed use.

Recommendation

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

6. Recommended Conditions of Approval

Standard Conditions of Approval

1. The plat will not be recorded until the vacation of easement is approved and recorded through Jackson County Recorder of Deeds.
2. Once the vacation of easement application is approved and recorded with Jackson Co., please revise the plat by removing the former easement lines.
3. Remove "First Plat" from the title.
4. 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 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.