



**LEE'S SUMMIT**  
MISSOURI  
Development Services Department

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## Development Services Staff Report

<b>File Number</b>	PL2020-286
<b>File Name</b>	FINAL PLAT – Hawthorn Ridge, 3rd Plat, lots 160-204 and Tracts F, G & H
<b>Applicant</b>	Clayton Properties Group, Inc., applicant
<b>Project Address</b>	1608 SW Buckthorn Drive
<b>Planning Commission Date</b>	July 8, 2021
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Planner
<b>Checked By</b>	Hector Soto, Jr, AICP, Planning Manager Kent Monter, PE, Development Engineering Manager

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### 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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### Table of Contents

1. Project Data and Facts	2
2. Land Use	2
3. Unified Development Ordinance (UDO)	3
4. Comprehensive Plan	4
5. Analysis	4
6. Recommended Conditions of Approval	5

### Attachments

Final Plat, dated June 14, 2021 – 2 pages

Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	Clayton Properties Group, Inc./applicant
Applicant's Representative	Bradley Kempf
Location of Property	1608 SW Buckthorn Drive
Size of Property	±15.46 acres (673,328 sq. ft.)
Number of Lots	45 lots and 3 common area tracts
Density	2.91 units/acre (including common area)
Zoning	PMIX (Planned Mixed Use 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><b>Duration of Validity:</b> 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 currently vacant and is the third phase of the previously approved Hawthorn Ridge residential development.

Description of Applicant's Request
The final plat application is for <i>Hawthorn Ridge, 3<sup>rd</sup> Plat, lots 160-204 and Tracts F, G &amp; H</i> , consisting of 45 lots and three common area tracts on 15.46 acres. The proposed final plat is substantially consistent with the preliminary plat.

## 2. Land Use

**Description and Character of Surrounding Area**



The property is located at 1608 SW Buckthorn Drive. The surrounding area is a mix of standard single-family residential subdivisions and large lot residential homes.

**Adjacent Land Uses and Zoning**

<b>North:</b>	Hawthorn Ridge 1 <sup>st</sup> Plat / PMIX
<b>South:</b>	Arborwalk / PMIX
<b>East:</b>	Hawthorn Ridge 2 <sup>nd</sup> Plat / PMIX
<b>West:</b>	Large Lot residential / AG

**Site Characteristics**

The subject site generally rises in elevation from the north to the south and shows the typical characteristics of a property that was historically used as agricultural cropland.

**Special Considerations**

None

**Setbacks**

Yard	Required	Proposed
Front	30'	30'
Side	7.5'	7.5'
Rear	30'	30'

**3. Unified Development Ordinance (UDO)**

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

The proposed final plat consists of 45 lots and 3 common area tracts on 15.46 acres. The proposed final plat is substantially consistent with the approved preliminary plat.

### 4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1 Objective 1.3 Objective 1.4
Residential Development	Objective 3.1 Objective 3.2

#### Comprehensive Plan

The Comprehensive Plan shows the area as low-density residential. The final plat does not compromise the ability to implement and/or achieve any policies, goals or objectives outlined in the Comprehensive Plan for providing quality development. Development such as this meets current and future demand and provides a long-term positive impact to the community.

### 5. Analysis

#### Background and History

This application is for the final plat of *Hawthorn Ridge, 3rd Plat, lots 160-204 and Tracts F, G & H*, 1608 SW Buckthorn Drive. The proposed final plat consists of forty-five (45) lots on 15.46 acres. The proposed final plat is substantially consistent with the approved preliminary plat.

- June 19, 2003 – The City Council approved the rezoning from AG to PMIX (Appl. #2002-224) and preliminary development plan (Appl. #2002-225) for the 376-acre mixed-use Arborwalk development by Ordinance No. 5548.
- August 13, 2003 – A Development Agreement between Gale Communities and the City for the Arborwalk development was executed.
- September 23, 2003 – The Planning Commission approved the preliminary plat (Appl. #2003-208) for *Arborwalk, Lots 1-783, Blocks 1-71 and Tracts A-AAC*.
- 2004-2007 – The City Council approved final plats for *Arborwalk, 1<sup>st</sup> Plat* through *Amended Arborwalk, 9<sup>th</sup> Plat*.
- November 8, 2016 – The Planning Commission approved the preliminary plat (Appl. #PL2016-172) for *Arborwalk North* (now known as *Hawthorn Ridge*), Lots 1-204 and Tracts A-E.
- March 5, 2019 – The City Council approved the final plat (Appl. #PL2016-172) for *Hawthorn Ridge, 1<sup>st</sup> Plat*, Lots 1-100 and Tracts A-E by Ordinance No. 8568.
- February 23, 2021 – The City Council approved the final plat (Appl. #PL2019-234) for *Hawthorn Ridge, 2nd Plat*, Lots 101-159 by Ordinance No. 9083.

### **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.

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 the first ordinance reading by City Council until the infrastructure requirements are met.

### **Compatibility**

The proposed subdivision is consistent with existing and planned surrounding single-family subdivisions and is consistent with the previously approved rezoning and preliminary plat.

### **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. Stormwater runoff due to the increased impervious area will be handled by stormwater detention facilities located in Hawthorn Ridge, 1<sup>st</sup> Plat. The use is consistent with the existing nature of the adjacent residential development in neighboring subdivisions.

### **Public Services**

The proposed plat will not impede the normal and orderly development and improvement of the surrounding property. The necessary street, water, sanitary sewer and storm sewer improvements to serve the area are currently under construction as part of this phase.

### **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. 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 site development 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 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.
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. A Land Disturbance Permit shall be obtained from the City if ground breaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the Engineering Plans.
7. 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."