



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

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## Development Services Staff Report

<b>File Number</b>	PL2021-261
<b>File Name</b>	FINAL PLAT – Osage, 3rd Plat, Lots 76-87 and Tracts O & P
<b>Applicant</b>	Clayton Properties Group, Inc., applicant
<b>Project Address</b>	2151 SW M-150 Highway
<b>Planning Commission Date</b>	November 18, 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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### Attachments

Final Plat, dated October 12, 2021 – 1 page  
Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	Clayton Properties Group, Inc./applicant
Applicant's Representative	Bradley Kempf
Location of Property	2151 SW M-150 Highway
Size of Property	±4.59 acres (199,972 sq. ft.)
Number of Lots	12 duplex lots and 2 common area tracts
Density	5.2 units/acre (including common area); 6.4 units/acre (excluding common area) – 10 units/acre max allowed in RP-3
Zoning	RP-3 (Planned Residential Mixed-Use District)
Comprehensive Plan Designation	Residential Mixed-density
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 site of the previously approved Osage 3 <sup>rd</sup> Plat preliminary development plan.

Description of Applicant's Request
This final plat application is for Osage, 3rd Plat, Lots 76-87 and Tracts O & P, consisting of 12 duplex lots and 2 common area tracts on 4.59 acres. The proposed final plat is substantially consistent with the approved preliminary development plan that also served as the preliminary plat.

## 2. Land Use

### Description and Character of Surrounding Area

The surrounding area is a mix of single-family and undeveloped vacant properties. The properties to the north are large lot single-family homes. East of the subject site is the location of Osage, 2<sup>nd</sup> Plat. The properties to the west are undeveloped vacant parcels. Large lot single-family homes are located to the south. The Napa Valley single-family subdivision is located southeast of the proposed project. Grand Summit View and Arborwalk single-family subdivisions are located to the northeast.



### Adjacent Land Uses and Zoning

<b>North (across M-150 Hwy):</b>	AG (Agricultural) and R-1 (Single-Family Residential) — large lot single-family
<b>South:</b>	RP-3 (Planned Residential Mixed-Use District) – Osage, 2 <sup>nd</sup> Plat
<b>East:</b>	RP-3 (Planned Residential Mixed-Use District) – Osage, 2 <sup>nd</sup> Plat
<b>West:</b>	AG (Agricultural) —vacant ground

### Site Characteristics

The 4.59-acre property generally slopes from the west to the east and displays the typical signs of a property that has historically been used as farm ground. There is a slight draw that bisects the southern third of the property.

### Special Considerations

The subject property lies within the M-150 Hwy Corridor Development Overlay (CDO) boundaries. However, the M-150 Hwy CDO standards have no affect or influence on the final plat process.

**Setbacks**

Yard	Required	Proposed
<b>Two-Family (Lots 76-87)</b>		
Front	25'/15' corner lots	25'/15' corner lots
Side	5'	5'
Rear	20'	20'

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

Section	Description
4.120	RP-3 (Planned Residential Mixed-Use District)
7.140, 7.150	Final Plats

The proposed final plat consists of 12 duplex lots and 2 common area tracts on 4.59 acres. The proposed final plat is substantially consistent with the approved preliminary development plan, which also served as the preliminary plat.

**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 proposed 12-lot subdivision phase to the Osage development is consistent with the residential mixed-density land use recommended by the Comprehensive Plan. The proposed subdivision phase meets the objectives of the Comprehensive Plan as it is establishing a well-defined land use for the property that is consistent with the character of the previously approve phases of the Osage neighborhood.

**5. Analysis****Background and History**

- November 11, 1975 – The City Council approved a rezoning (Appl. #1975-003) of approximately 87 acres generally located at the southwest corner of SW M-150 Hwy and SW Pryor Rd from AG to R-1

by Ordinance #1632. The south 20 acres of the proposed Osage residential development was included in this rezoning.

- June 1, 1993—The City Council approved a rezoning (Appl. #1993-017) of 10 acres located at the southwest corner of SW M-150 Hwy and SW Pryor Rd from AG (Agricultural) to R-1 (Single-Family Residential) for the proposed Salvaggio's Ranch final plat by Ordinance #3852. This property constitutes the northeast portion of the proposed Osage residential development.
- June 1, 1993—The City Council approved the final plat (Appl. #1993-235) of Salvaggio's Ranch, Lots 1-3 by Ordinance #3856.
- February 5, 2019 — Appl. #PL2018-184 – Rezoning from AG and R-1 to RP-3 and Preliminary Development Plan – Proposed Allera single-family development failed to attain the minimum required affirmative votes from the City Council to be approved.
- December 10, 2019 — The City Council approved a rezoning (Appl. #PL2019-307) from AG and R-1 to RP-3 and preliminary development plan for the Osage residential mixed density subdivision by Ordinance #8784.
- May 3, 2021—The City Council approved the final plat (Appl. #PL2020-065) of Osage, 1<sup>st</sup> Plat, Lots 1-41 & Tracts A-H by Ordinance #9139.
- October 12, 2021—The City Council advanced to second reading an ordinance approving the final plat (Appl. #PL2020-233) of Osage, 2nd Plat, Lots 42-75 & Tracts I-N. Final approval of this application is on hold until a Certificate of Final Acceptance has been issued for the subdivision-related public infrastructure or a form of financial security been received to secure the completion of the public improvements.
- August 3, 2021 — The City Council approved a rezoning (Appl. #PL2021-134) from AG to RP-3 and preliminary development plan for the Osage 3<sup>rd</sup> Plat by Ordinance #9201.

### **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 property is located at the southwest corner of the intersection of SW M-150 Hwy and SW Pryor Rd. M-150 Hwy serves as gateway into Lee's Summit.

Multi-family residential is a compatible use relative to existing development in the area and current zoning. The northeast corner of SW M-150 Hwy and SW Pryor Rd is developed as a single-family residential subdivision. Further to the northeast sits the 310-acre Arborwalk development. Arborwalk is a mixed-use

development that includes single-family villa lots, standard single-family lots, duplexes, tri-plexes, four-plexes, apartments and commercial uses.

Southeast of the subject property sits the 80-acre Napa Valley development. Napa Valley has a mix of single-family villa lots, standard single-family lots and estate single-family lots.

### **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 street, water, sanitary sewer and storm sewer improvements to serve the area will be constructed 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 and an as-graded plan for the detention basin 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 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."
7. All ADA sidewalk ramps shall be constructed by the developer at the time the street is constructed.

8. 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.
9. A final plat shall be approved and recorded (with the appropriate number of copies of the recorded plat returned to the Development Services Department) prior to any building permits being issued.