



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

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| File Number | PL2022-030 |
| File Name | FINAL PLAT – Town Centre, Lots 1A-1C and Tract A |
| Applicant | WHD Management, LLC |
| Property Address | 520 NE Town Centre Dr |
| Planning Commission Date | March 24, 2022 |
| 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: August 11, 2021
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 10, 2021
Location Map

1. Project Data and Facts

| Project Data | |
|--------------------------------|--|
| Applicant/Status | WHD Management, LLC/Owner |
| Applicant's Representative | Josh Wilson |
| Location of Property | 520 NE Town Centre Dr |
| Size of Property | 344,785 sq. ft. – Lot 1A 38,667 sq. ft. – Lot 1B 86,808 sq. ft. – Lot 1C 35,392 sq. ft. – Tract A (detention basin) 505,652 total sq. ft. (±11.61 total acres) |
| Number of Lots | 3 lots and 1 common area tract for stormwater detention |
| Zoning | PI (Planned Industrial) |
| Comprehensive Plan Designation | Industrial |
| 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 11.61-acre site is an undeveloped, industrially-zoned property. The site is part of a larger mostly undeveloped 38-acre area bounded by NE Independence Ave on the east, NE Town Centre Dr on the south and NE Town Centre Blvd on the west and north. |

| Description of Applicant's Request |
|--|
| The applicant proposes a final plat for an approved 3-lot industrial development composed of a storage facility, warehouse and indoor recreation facility. The final plat is consistent with the approved preliminary development plan that served the dual purpose as the preliminary plat, as allowed under the UDO. |

2. Land Use

Description and Character of Surrounding Area

The property generally sits at the northeast corner of NE Town Centre Blvd and NE Town Centre Dr. The surrounding area is characterized as a transitional area where industrial, commercial/office and one multi-family residential development converge along NE Town Centre Blvd. More specifically, to the north are industrial uses; to the east are automotive dealerships; to the south is the MoDOT Kansas City District Office; and to the west is a multi-family residential development.

Adjacent Land Uses and Zoning

| | |
|---|--|
| North: | Undeveloped acreage / CP-2; and Industrial / PI (Planned Industrial) |
| South (across NE Town Centre Dr): | MoDOT KC District Office / CP-2 |
| East: | Automotive dealerships / CP-2 |
| West (across NE Town Centre Blvd): | Undeveloped acreage / CP-2; Apartments / RP-4 (Planned Residential Apartment) |

Site Characteristics

The site sits just east of the intersection of NE Town Centre Blvd and NE Town Centre Dr. The site generally slopes to the southeast. Removal of an existing pond is required to allow for the development. Vehicular access to the site will come from NE Town Centre Dr to the south.

Special Considerations

The subject property is the site of an existing pond that will be removed to accommodate construction of the approved development. A geotechnical report for the pond site shall be required prior to the issuance of any building permit on the affected lots.

3. Project Proposal

Setbacks (Perimeter)

| Yard | Building / Parking Required | Building / Parking Proposed |
|-----------------------------------|------------------------------------|--|
| Front (NE Town Centre Dr – south) | 20' (Building) / 20' (Parking) | 39' (Building) / 20' (Parking) |
| Side (east); and Side (west) | 10' (Building) / 6' (Parking) | 50' (Building) / 13'8" (Parking) – east; and 21' (Building) / 65' (Parking) – west |
| Rear (north) | 20' (Building) / 6' (Parking) | 20' (Building) / 10' (Parking) |

4. Unified Development Ordinance (UDO)

| Section | Description |
|-------------|------------------|
| 7.140,7.150 | Final Plats |
| 4.220 | Zoning Districts |

Unified Development Ordinance

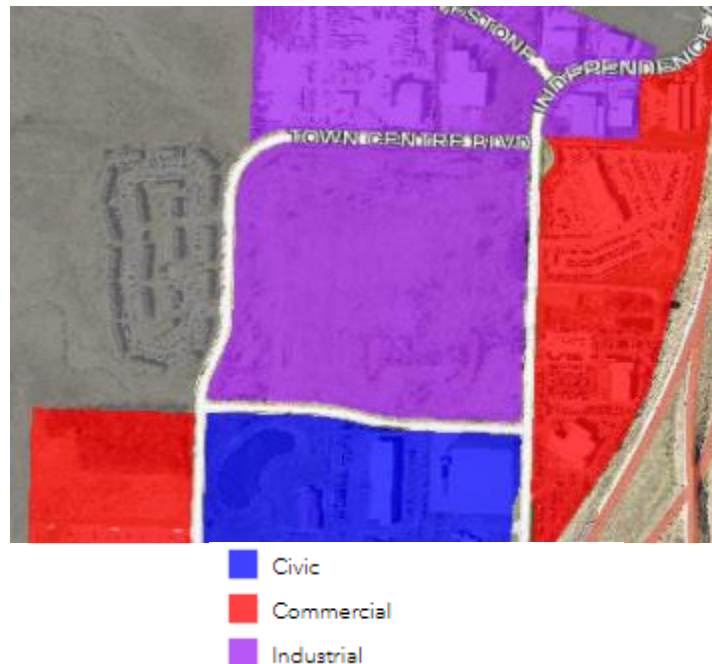
The subject property has the appropriate zoning for the approved industrial development. The final plat meets the platting requirements of the UDO.

5. Comprehensive Plan

| Focus Areas | Goals, Objectives & Policies |
|-------------------|--|
| Resilient Economy | Diversify Lee's Summit economy. Increase business retention and grow business activity. |

Comprehensive Plan

The property's PI zoning and approved industrial development are consistent with the Industrial land use recommended by the Ignite Comprehensive Plan for the area. The use is also consistent with the surrounding industrial, airport, commercial and civic (MoDOT campus property) land uses recommended by the Ignite Comprehensive Plan for the surrounding area.



6. Analysis

Background and History

The applicant seeks approval of a final plat for an approved 3-lot industrial development. Previous approvals for the industrial development include a rezoning from CP-2 to PI, preliminary development plan and special use permit for a storage facility.

- June 12, 1979 – The City Council approved a rezoning (1979-008) from District A (Agricultural) to CP-2 (then C-1-P) by Ordinance No. 2019.
- January 11, 2022 – The City Council approved a rezoning from CP-2 to PI and preliminary development plan (Appl. #PL2021-380), as well as a special use permit (Appl. #PL2021-411) for a storage facility for a period of 20 years, on the subject property by Ordinance Nos. 9318 and 9319, respectively.

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 industrial subdivision is compatible with area land uses and zoning. Surrounding uses include automobile dealerships, office/warehouses, masonry product manufacturing, MoDOT campus (including CDL testing facility) and apartment uses to the west across NE Town Centre Blvd.

Adverse Impacts

The proposed final plat will not detrimentally impact the surrounding area. The industrial subdivision is for the development of a long-vacant property along NE Town Centre Blvd that feeds into the NE Independence Ave commercial/industrial corridor north of NE Colbern Rd.

Stormwater for the entire 3-lot industrial development will be managed by a single detention basin located on Tract A at the east development boundary.

Public Services

The subject property is a vacant site. The proposed development will not impede the normal and orderly development and improvement of the surrounding property. Public water lines and sanitary sewers will be extended as part of the proposed development so that all platted lots will have direct access to the public utilities. The remaining undeveloped properties to the north and northeast either already have access to public infrastructure along either NE Town Centre Blvd or NE Independence Ave or will be required to provided public infrastructure at the time of platting.

The surrounding NE Town Centre Blvd, NE Independence Ave and NE Town Centre Dr have sufficient capacity to accommodate the traffic generation from the proposed use; no improvements to any of the streets were required as part of the approved preliminary development plan for the industrial subdivision.

Recommendation

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

7. Recommended Conditions of Approval

Standard Conditions of Approval

1. Submittal of a geotechnical report to the City for the reclaimed pond site shall be required prior to the issuance of any building permit on the affected lots.
2. The proposed new sidewalk in front of Lot 1C and a portion of Lot 1A shall be a minimum 5' in width. The plat currently labels the proposed sidewalk as 4' in width.
3. 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.
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. A Land Disturbance Permit shall be obtained from the City if groundbreaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the Engineering Plans.
7. 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.
8. The following language shall be included in the common area dedication note: "During the period in which the developer maintains effective control of the board of the condominium or property owners' association, or other entity approved by the Governing Body, the developer shall remain jointly and severally liable for the maintenance obligations of the condominium or property owners' association."
9. The following note shall be added to the plat: "All storm water conveyance, retention or detention facilities to be located on common property shall be owned and maintained by the property owners' association in accordance with the standards set forth in the 'Covenants, Conditions and Restrictions.' Refer to the 'Covenants, Conditions and Restrictions' associated with this development for

requirements.”

10. 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 5.520 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 5.510 of the UDO. In addition, the approved Declaration of Covenants, Conditions and Restrictions shall be recorded prior to the recording of the final plat.
11. A final plat shall be approved and recorded prior to any building permits being issued.