



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

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## Development Services Staff Report

<b>File Number</b>	PL2022-091 – FINAL PLAT – Cobey Creek, 2 <sup>nd</sup> Plat, Lots 31-77, 160-187, 200-250 and Tracts A-K
<b>Applicant</b>	Clayton Properties Group, Inc.
<b>Property Address</b>	500 SE M 150 Hwy.
<b>Planning Commission Date Heard by</b>	January 12, 2023 Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Planner
<b>Checked By</b>	Hector Soto, Jr., AICP, Senior Planner Sue Pyles, 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 March 11, 2022, revised September 27, 2022 – 6 pages  
Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	Clayton Properties Group, Inc./ Applicant
Applicant's Representative	Brad Kempf
Location of Property	500 SE M 150 Hwy.
Size of Property	±62.74 Acres (2,733,076 sq. ft.)
Number of Lots	126 lots and 11 common area tracts
Density	2.01 units/acre
Zoning	PMIX (Planned Mixed-Use)
Comprehensive Plan Designation	Residential 1 and Residential 2
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 Cobey Creek mixed-use development.

Description of Applicant's Request
The final plat application is for Cobey Creek, 2nd Plat, consisting of 126 lots and 11 common area tracts on 62.74 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 properties to the north and west are zoned RP-4 (Planned Apartment Residential) and AG, respectively, and are unplatted, undeveloped property. The properties to the east are zoned Agriculture and First Dwelling House District—these properties are located outside of the city limits in Greenwood, MO and are a mix of developed and undeveloped residential lots. The properties to the south are unplatted, undeveloped parcels zoned AG and CP-2.

### Adjacent Land Uses and Zoning

<b>North:</b>	RP-4 (Planned Apartment Residential)—vacant ground
<b>South (across M-150 Hwy):</b>	AG (Agricultural)—large lot single family; and CP-2 (Planned Community Commercial District)—vacant ground
<b>East (outside of city limit in Greenwood, MO):</b>	A (Agriculture District)—vacant ground; and R-1 (First Dwelling House District)—single family homes and vacant lots
<b>West:</b>	AG (Agricultural)—vacant ground

### Site Characteristics

The property is located at 500 SE M-150 Hwy. The subject site generally slopes from the west to the east and shows the typical characteristics of a property that was historically used as a large lot residential estate.

### Special Considerations

This project is located within the boundaries of the M-150 Corridor Development Overlay (CDO) District. The prescribed CDO development standards are not applicable to this phase of the project as they only apply to multi-family (3+ family buildings) and non-residential development. Where relevant, adherence to the prescribed development standards shall be a prerequisite for approval of future phases.

### Setbacks

<b>Yard</b>	<b>Required</b>	<b>Proposed</b>
Front	25'	25'
Side	7.5'	7.5'
Rear	30'	30'

## 3. Unified Development Ordinance (UDO)

<b>Section</b>	<b>Description</b>
4.240	PMIX (Planned Mixed-Use)
7.140, 7.150	Final Plats

## 4. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Strong Neighborhoods & Housing Choice	Goal 3.2. A – Maintain thriving, quality neighborhoods that connect a diversity of residents throughout the community Goal 3.2. B – Create and maintain a variety of housing options, styles and price ranges.

**Comprehensive Plan**

The Residential 1 category is primarily for single-family residential development that ranges from very low density rural residential with limited farming activities to medium and large lot single-family subdivisions.

The Residential 2 category is primarily for accommodating single family detached and multi-family medium density residential housing.

The 2nd phase of the Cobey Creek subdivision is consistent with the Residential 1 and Residential 2 land use recommended by the Comprehensive Plan for the area.

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

The proposed plat is substantially consistent with the approved preliminary development plan that acted as the preliminary plat.

- July 27, 2018 – The City Council approved a rezoning from AG to PMIX and a preliminary development plan (Appl. #PL2018-050) for the Cobey Creek Development by Ordinance No. 8423.
- March 16, 2021 - The City Council approved a final plat (Appl. #PL2018-208) for *Cobey Creek, 1<sup>st</sup> Plat, Lots 1-30, 140-159 and Tracts D, E, G, H & J* by Ordinance No. 9100.

**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 500 SE M-150 Hwy. The use is consistent with the Comprehensive Plan, the approved preliminary development plan and is compatible with the existing and planned surrounding land uses. M-150 Hwy serves as a gateway into Lee's Summit and the proposed project will serve as a high-quality welcome to the community.

#### **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 proposed development will provide the required stormwater detention facilities to manage the increased stormwater runoff due to the increased impervious area. The use is consistent with the existing nature of the adjacent residential development in neighboring Greenwood.

#### **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 groundbreaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
7. All permanent off-site easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion or approval of the final plat. A certified copy shall be submitted to the City for verification.
8. 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."
9. 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.
10. All ADA sidewalk ramps shall be constructed by the developer at the time the street is constructed.
11. 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.
12. The applicant shall submit and the City shall accept an "As-built / As-graded" detention basin plan prior to issuance of any Certificate of Substantial Completion for the proposed development.
13. MoDOT approval of the west entrance is still pending. The plat cannot be approved until MoDOT approves the geometry of the west entrance.
14. A final plat shall be approved and recorded prior to any building permits being issued.