

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR COBEY CREEK ON LAND LOCATED AT 500 SE M-150 HIGHWAY, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-073 submitted by Clayton Properties Group, requesting approval of a Preliminary Development Plan in district PMIX on land located at 500 SE M-150 Highway was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a Preliminary Development Plan by the City following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held public hearings for the consideration of the Preliminary Development Plan on May 23, 2024, and rendered a report to the City Council recommending that the Preliminary Development Plan be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on June 18, 2024, and rendered a decision to approve the Preliminary Development Plan for said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That a Preliminary Development Plan is hereby approved on the following described property:

*All that part of the Southeast Quarter of Section 29, Township 47, Range 31 and all that part of Tract "J" and Lots 152 through 159 of Cobey Creek - 1st Plat, a subdivision in the City of Lee's Summit, Jackson County, Missouri more particularly described as follows: Commencing at the southeast corner of said Southeast Quarter of Section 29, thence with the east line of said Southeast Quarter of Section 29, North 02 degrees 30 minutes 29 seconds East, a distance of 74.78 feet; thence North 87 degrees 54 minutes 12 seconds West, a distance of 40.00 feet to a point on the west right-of-way line of Doc Henry Road and said point also being the point of beginning; thence with the west right-of-way line of Doc Henry Road, North 02 degrees 30 minutes 29 seconds East, a distance of 95.35 feet; thence with the west right-of-way line of Doc Henry Road, North 08 degrees 13 minutes 08 seconds East, a distance of 100.51 feet; thence with the west right-of-way line of Doc Henry Road, North 02 degrees 30 minutes 29 seconds East, a distance of 99.72 feet to a point on the south right-of-way of SE Gilette Street; thence with the south right-of-way of SE Gilette Street, North 87 degrees 54 minutes 10 seconds West, a distance of 311.08 feet to the southwest corner of said Lot 152; thence with the west line of said Lots 152 through 159, North 02 degrees 18 minutes 09 seconds East, a distance of 616.95 feet to the northwest corner of said Lot 159; thence with the north line of said Lot 159, South 87 degrees 54 minutes 10 seconds East, a distance of 133.30 feet to a point on the west right-of-way line of SE Corbin Drive; thence with the west right-of-way line of SE Corbin Drive, North 02 degrees 30 minutes 29 seconds East, a distance of 196.73 feet; thence*

*with the west right-of-way line of SE Corbin Drive, North 42 degrees 29 minutes 31 seconds West, a distance of 35.36 feet to a point on the south right-of-way line of SE David Road; thence with the south right-of-way line of SE David Road, North 87 degrees 29 minutes 31 seconds West, a distance of 383.87 feet; thence on a curve to the left, with the south right-of-way line of SE David Road, having a radius of 175.00 feet, a central angle of 32 degrees 02 minutes 01 second, an arc distance of 97.84 feet; thence with the south right-of-way line of SE David Road, South 60 degrees 28 minutes 28 seconds West, a distance of 83.53 feet to a point on the west right-of-way line of SE Cobey Creek Drive; thence with the west right-of-way line of SE Cobey Creek Drive, North 29 degrees 31 minutes 32 seconds West, a distance of 167.35 feet; thence on a curve to the left, with the west right-of-way line of SE Cobey Creek Drive, having a radius of 175.00 feet, a central angle of 29 degrees 03 minutes 44 seconds, an arc distance of 88.77 feet; thence with the west right-of-way line of SE Cobey Creek Drive, North 58 degrees 35 minutes 16 seconds West, a distance of 113.85 feet; thence on a curve to the left, with the south right-of-way line of SE Cobey Creek Drive, having a radius of 325.00 feet, a central angle of 15 degrees 25 minutes 04 seconds, an arc distance of 87.46 feet; thence North 15 degrees 59 minutes 40 seconds East, a distance of 50.00 feet to a point on the north right-of-way line of SE Cobey Creek Drive said point also being a point of curvature; thence on a curve to the right, with the north right-of-way line of SE Cobey Creek Drive, having a radius of 375.00 feet, a central angle of 07 degrees 46 minutes 30 seconds, an initial tangent bearing of South 74 degrees 00 minutes 20 seconds East, an arc distance of 50.89 feet; thence North 74 degrees 49 minutes 15 seconds East, a distance of 37.82 feet to a point of curvature; thence on a curve to the right, having a radius of 225.00 feet, a central angle of 42 degrees 27 minutes 44 seconds, an initial tangent bearing of North 37 degrees 06 minutes 40 seconds East, an arc distance of 166.75 feet; thence North 10 degrees 25 minutes 36 seconds West, a distance of 140.99 feet; thence North 02 degrees 15 minutes 12 seconds East, a distance of 10.00 feet; thence North 87 degrees 44 minutes 48 seconds West, a distance of 540.78 feet; thence South 02 degrees 15 minutes 12 seconds West, a distance of 154.40 feet; thence North 87 degrees 44 minutes 48 seconds West, a distance of 50.00 feet; thence South 47 degrees 15 minutes 12 seconds West, a distance of 35.36 feet; thence North 87 degrees 44 minutes 48 seconds West, a distance of 110.67 feet; thence South 02 degrees 32 minutes 36 seconds West, a distance of 1463.06 feet to a point on the north right-of-way line of Missouri Highway 150; thence South 87 degrees 54 minutes 12 seconds East, a distance of 1603.14 feet to the point of beginning. The above described tract contains 1,913,068 square feet or 43.92 acres.*

**SECTION 2. That the following conditions of approval apply:**

1. A 12-inch water main shall be extended to the north plat boundary along Sunset Ridge and Sanders Street.
2. Parking shall only be allowed only on one side of the road on Sunset Ridge north of Cobey Creek Drive, Amara Drive, Redstone Drive, and Fairbrook Drive.
3. Development shall be in accordance with the Preliminary Development Plan dated March 22, 2024 and revised April 23, 2024.
4. Development shall be in accordance Traffic Impact Analysis dated May 10, 2024.

**BILL NO. 24-109****ORDINANCE NO. 9944**

SECTION 3. Development shall be in accordance with the Preliminary Development Plan dated March 22, 2024 and revised April 23, 2024., and the Traffic Impact Analysis dated May 10, 2024., appended hereto as Attachments A and B, respectively.

SECTION 4. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

SECTION 5. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

SECTION 6. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this 9<sup>th</sup> day of July, 2024.



Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this 16<sup>th</sup> day of July, 2024.

  
Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

FOR City Attorney Brian W. Head





# LEE'S SUMMIT MISSOURI

## DEVELOPMENT REVIEW FORM TRANSPORTATION IMPACT

DATE:	May 10, 2024	CONDUCTED BY:	Erin Ralovo, PE, PTOE
SUBMITTAL DATE:	March 18, 2024	PHONE:	816.969.1800
APPLICATION #:	PL2024073	EMAIL:	Erin.Ralovo@cityofls.net
PROJECT NAME:	COBEY CREEK 2 <sup>ND</sup> - REDESIGN	PROJECT TYPE:	Prel Dev Plan (PDP)

### **SURROUNDING ENVIRONMENT** (*Streets, Developments*)

The proposed mixed-use (commercial and residential) development is located along the north side M-150 Highway, west of Doc Henry Road. The surrounding property is undeveloped or large lot agricultural.

### **ALLOWABLE ACCESS**

Access to the site is proposed from a network of proposed public streets accessing M-150 Highway. Access along M-150 Highway has been reviewed by MoDOT and its conditions for approval are restated in the staff recommendations. Access was fully considered from Doc Henry Road as well, but could not be permitted from the adjacent jurisdiction/owner. Since access to Doc Henry Road was denied and is located outside the City limits of Lee's Summit, the development proposes to extend right-of-way to the property limit and a public street towards Doc Henry Road to the extent within control for a potential future connection.

### **EXISTING STREET CHARACTERISTICS** (*Lanes, Speed limits, Sight Distance, Medians*)

M-150 Highway is a state highway owned and managed by the Missouri Department of Transportation (MoDOT). It is a two-lane, unimproved rural highway east of M-291 Highway and an improved, four-lane, median divided highway west of M-291 Highway. M-150 Highway has a posted speed limit of 45 mph. Doc Henry Road is a two-lane undivided residential collector with a 35 mph speed limit situated on the city limits of Lee's Summit and Greenwood with mixed conditions of ownership and public access. Doc Henry Road south of M-150 Highway is generally unimproved with the east half in Greenwood and west half in Lee's Summit. Doc Henry Road south of M-150 Highway is a public street in public right-of-way with access to several residential properties and subdivisions. Doc Henry Road north of M-150 Highway has been improved, but dead-ends, and does not currently provide access to any developed property. The portion of Doc Henry Road north of M-150 Highway is not located within public right-of-way, but entirely located on property owned by the City of Greenwood. For all intents and purposes, Doc Henry Road north of M-150 Highway is a private driveway constructed to public street standards. The intersection of Doc Henry Road and M-150 Highway has two-way stop control; M-150 has the right-of-way. The interchange of M-150 Highway and M-291 Highway (as well as the intersection of East Outer Road and M-150 Highway) are traffic signal controlled with multiple turn lanes in each direction of travel. There is adequate sight distance at the existing intersections. SE Cobey Creek Drive is on the west side of the proposed phase 2 development. There is a left turn lane on M-291 at the SE Cobey Creek Dr entrance and the street is stop controlled at M-291.



**ACCESS MANAGEMENT CODE COMPLIANCE?**Yes ☒No ☐

The proposed driveway locations along proposed streets within the development and proposed street connections along M-150 Highway comply with the City's Access Management Code and MoDOT Access Management Guidelines, as applicable. Where access is proposed the required right-turn lane and left-turn lanes are shown on the proposed development plan. The overall proposed street network within the development aligns with adopted Thoroughfare Master Plan. Proposed collectors and street connections will provide planned transportation facilities in support of surrounding undeveloped property and may be extended north and south of M-150 Highway in the future.

**TRIP GENERATION**

Time Period	Total	In	Out
Weekday	4758	2379	2379
A.M. Peak Hour	368	131	237
P.M. Peak Hour	503	295	208

**TRANSPORTATION IMPACT STUDY REQUIRED?**Yes ☒No ☐

The proposed development will likely generate more than 100 vehicle trips during a weekday peak hour; the minimum condition for traffic impact study requirements. A traffic impact study was submitted by McCurdy Engineers, dated March 22, 2024. This study considered AM and PM Peak Hour traffic operations along M-150 Highway at the intersections of Doc Henry Road, and any driveways or streets accessing the proposed development. Analysis scenarios were completed for existing conditions, Phase 1 Development and Full Build conditions. MoDOT was included in the review of the traffic impact study and development plan. Their comments and recommendations are reflected in the staff report and recommendations for approval. Any recommendation related to M-150 Highway is subject to MoDOT approval, and may be amended or removed at their discretion through the MoDOT permitting process. MoDOT may also add conditions of approval not listed by staff in its granting permits.

Level of service (LOS) is an industry accepted standard measure of performance (e.g. delay) for traffic operations rated A-F, similar to a grade card with A the best and F the worst condition. The City Council has adopted a LOS policy in which the acceptable condition is LOS C or better. MoDOT generally accepts a LOS D or LOS E. All studied intersections in all scenarios had adequate level of service reported.

The northbound movement along Doc Henry Road at M-150 Highway, which is stop controlled, has an existing LOS E and LOS F during the AM and PM Peak Hours, respectively. The northbound delay worsens to LOS F during both peak hours upon all phases of the proposed development. A traffic signal would mitigate this unacceptable operation when constructed. MoDOT has not requested a traffic signal warrant analysis or a signal installation in relation to this proposed development at the Doc Henry Road and M-150 Highway intersection. MoDOT previously completed a signal warrant study that confirmed one or more signal warrants, but its warranting conditions have not yet caused a recommendation, programming, or otherwise prioritization for construction by MoDOT. The proposed development does not access Doc Henry Road.

The SE Sunset Ridge entrance along M-150 Highway was studied with and without a signal for Full Build and with the additional traffic anticipated with the Ovation development to the south this intersection. The Ovation development was proposed but not approved at the time of the Traffic Study. Without a signalized control, the southbound leg of the intersection operates at a LOS of F for through movements and LOS D for Right turn movements. With traffic signal control, the LOS is acceptable for all traffic movements and may provide additional gaps in traffic to alleviate some delay at the nearby intersection of Doc Henry Road. MoDOT supports the traffic signal at SE Sunset Ridge and M-150 Highway.

In addition to traffic signal control along M-150 Highway, several turn lanes at each proposed intersection are recommended with MoDOT concurrence. The development would also donate additional right-of-way along M-150 Highway for future highway widening.

The following improvements were depicted on the preliminary development plan, considered in the traffic impact study, and otherwise recommended in the traffic impact study to address the impact of development and comply with the Access Management Code of the City and MoDOT:

1. Sunset Ridge shall be constructed and signalized. Once constructed, a Median will be constructed along M-150, restricting the access at Cobey Creek Drive to a Right-in, Right-out, Left-in.
2. Westbound right-turn lane along M-150 Highway at Cobey Creek Drive.
3. Westbound right-turn lane along M-150 Highway at Sunset Ridge.
4. Eastbound left-turn lane along M-150 Highway at Sunset Ridge.

**LIVABLE STREETS** (*Resolution 10-17*)

**COMPLIANT** ☒

**EXCEPTIONS** ☐

The proposed development includes all Livable Streets elements identified in the City's adopted Comprehensive Plan, associated Greenway Master Plan and Bicycle Transportation Plan attachments, and elements otherwise required by ordinances and standards in full compliance with the Livable Streets Policy adopted by Resolution 10-17. The project includes a 10' wide shared use path along the north side of M-150 Highway in compliance with regional trail and bikeway plans.

**RECOMMENDATION:**

**APPROVAL** ☒

**DENIAL** ☐

**N/A** ☐

**STIPULATIONS** ☒

*Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.*

Staff recommends approval of the proposed preliminary development plan subject to the following off-site improvement conditions that were reviewed by Staff and MoDOT in coordination:

1. Widen M-150 Highway along its entire north side west of Doc Henry Road to the west property line of the development and extended west as necessary for proper transitions as generally depicted on the preliminary development plan and in accommodation of other turn lane improvement conditions.

2. Construct a permanent traffic signal at the intersection of Sunset Ridge and M-150 Highway.
3. Construct a raised median along M-150 Highway to limit access at Cobey Creek Drive to right-in/right-out Left-in access along M-150 Highway, at such time as Sunset Ridge is fully constructed, including the signal improvements.
4. Construct a 150-foot westbound right-turn lane into Cobey Creek Dr along M-150 Highway, plus taper.
4. Construct a 190-foot westbound right-turn lane into Sunset Ridge along M-150 Highway, plus taper.
5. Construct a 180-foot eastbound left-turn lane into Sunset Ridge along M-150 Highway, plus taper.
6. Construct a 10' wide shared use path along M-150 Highway adjacent to the proposed development.
7. Dedicate right-of-way along M-150 Highway to MoDOT as depicted on the preliminary development plan (or as may be required by MoDOT) for future widening of M-150 Highway.

Improvements related to M-150 Highway may be changed, removed or additional requirements stated by MoDOT, at its discretion. The aforementioned conditions of recommendation in association with M-150 Highway were provided or supported by MoDOT.