

**DEVELOPMENT SERVICES**

**Final Plat  
Applicant's Letter**

**Date:** Monday, December 09, 2024

**To:**

**Property Owner:** RESIDENCES AT BLACKWELL LLC Email:

**Applicant:** GRIFFIN RILEY PROPERTIES Email:

**Engineer/Surveyor:** SCHLAGEL & ASSOCIATES Email: SCHLAGEL & ASSOCIATES

**From:** Mike Weisenborn, Project Manager

**Re:**

**Application Number:** PL2023048

**Application Type:** Final Plat

**Application Name:** Blackwell Reserve Lots 1 thru 77 and Tracts A and B

**Location:** 2840 SE BLUE PKWY, LEES SUMMIT, MO 64063

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**Tentative Schedule**

Submit revised plans by 4pm on Tuesday, April 11, 2023. Revised documents shall be uploaded to the application through the online portal.

Planning Commission Meeting: January 09, 2025 at 05:00 PM

City Council date will be set after all subdivision related public improvements have been completed and a Certificate of Final Acceptance has been issued. In lieu of completion of public improvements, an escrow secured with cash or an irrevocable letter of credit shall be deposited with the City to secure the completion of all public improvements prior to scheduling a City Council date.

If the revised submittal deadline is not met or plans are deficient, the item will be moved to a later meeting and a new deadline will be set. Future deadlines and meeting dates can be found on the "Planning Commission Meeting Dates" handout. Dates are subject to change; we will keep you informed throughout the process.

**Electronic Plans for Re-submittal**

All Planning application and development engineering plan resubmittals shall include an electronic copy of the documents as well as the required number of paper copies.

Electronic copies shall be provided in the following formats

- Plats – All plats shall be provided in multi-page Portable Document Format (PDF).

- Engineered Civil Plans – All engineered civil plans shall be provided in multi-page Portable Document Format (PDF).
- Architectural and other plan drawings – Architectural and other plan drawings, such as site electrical and landscaping, shall be provided in multi-page Portable Document Format (PDF).
- Studies – Studies, such as storm and traffic, shall be provided in Portable Document Format (PDF).

Please contact Staff with any questions or concerns you may have.

## **Excise Tax**

On April 1, 1998, an excise tax on new development for road construction went into effect. This tax is levied based on the type of development and trips generated. If you require additional information about this development cost, as well as other permit costs and related fees, please contact the Development Services Department at 816-969-1200.

## **Analysis of Final Plat:**

<b>Planning Review</b>	Ian Trefren	Planner	Approved with Conditions
	(816) 969-1605	ian.Trefren@cityofls.net	

1. Sec. 4.290. - Declaration of Covenants and Restrictions - There shall be recorded in the land records of the county or counties in which the development is located, prior to the recording of the final plat or conveyance of any ownership interest in any of the real property in any development containing common property, a declaration of covenants and restrictions which shall:

A.Specify the ownership of the common property; and

B.Be prepared in accordance with this division; and

C.Provide for the establishment of a condominium or property owners' association, or other entity approved by the Governing Body, prior to the recording of the final plat or sale of any part of the property; and

D.Provide that ownership of any lot in the development shall not occur until the condominium or property owners' association, or other entity approved by the Governing Body, is formed and ownership of all common property has been transferred to the condominium or property owners' association or other entity; and

E.Provide for the method of maintenance of common property; and

F.Provide that the declaration of covenants and restrictions pertaining to common property shall be permanent; and

G.Provide that the lot owners within the development are liable for the costs of maintenance of all common property and that the costs shall be assessed proportionally against the individual lots and lot owners within the development in accordance with the rules of the condominium or property owners' association; and

H.Provide that the condominium or property owners' association, or other entity approved by the Governing Body, shall be responsible for liability insurance, taxes and perpetual maintenance; and

I.Provide that membership in the condominium or property owners' association, or other entity approved by the Governing Body, shall be mandatory for each lot owner and any successive buyer; and

J.Provide that each lot owner, at the time of purchase, shall be furnished with a copy of the declaration of covenants and restrictions; and

K. Provide that the condominium or property owners' association, or other entity approved by the Governing Body, formed to own and maintain common property shall not be dissolved without the consent of the City, unless the maintenance responsibilities set forth in the final development plan are assigned, with the consent of the City, to a person or entity with the financial, legal, and administrative ability to perform such obligations; and

L. Provide that in the event that any condition of the common property is determined to be a nuisance or in disrepair in violation of any provision of the Lee's Summit Property Maintenance Code, and such disrepair or nuisance is abated pursuant to procedures otherwise provided in the Property Maintenance Code, that the costs to abate the nuisance created by the failure to maintain any common property shall be assessed proportionally against the individual lots and lot owners within the development, in an equal amount per individual lot or lot owner, pursuant to the tax bill provisions of the Property Maintenance Code, and that the amount caused by the Finance Director to be assessed annually by tax bill shall not exceed five percent of assessed valuation per individual lot or lot owner; and

M. Provide that in the event it is determined that the maintenance of any storm water conveyance, retention or detention facility located on common property fails to meet any standard set forth in the final development plan, or final plat if no final development plan is required, and such failure is abated by the City pursuant to the procedures of this division, that upon completion of the work and certification by the Director of Public Works that the deficiency has been abated, the Director of Public Works shall certify all costs of such abatement, including enforcement costs and expenses of staff time incurred in the remediation of the deficiency, to the City's Director of Finance who shall cause a special tax bill therefore, or add the costs thereof to the annual real estate tax bill, at the Finance Director's option, proportionally against the individual lots and lot owners within the development, in an equal amount per individual lot or lot owner, that the amount caused by the Finance Director to be assessed annually by tax bill shall not exceed five percent (5%) of assessed valuation per individual lot or lot owner, that the tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity and no mere clerical error or informality in the same, or in the proceedings leading up to the issuance shall be a defense thereto, that each special tax bill shall be issued by the City Clerk and delivered to the City Finance Director on or before the first day of June of each year, and that such tax bill, if not paid when due, shall bear interest at the rate of eight percent; and

N. Provide that the City shall be a third party beneficiary of all provisions pertaining to the assessment of costs for maintenance of storm water conveyance, retention, or detention facilities on common property, and that such provisions shall not be modified or amended without the written consent of the City.

The Governing Body may waive, amend, or approve requirements or the use of other entities in lieu of, the requirements of this section.

<b>Engineering Review</b>	Gene Williams, P.E. (816) 969-1223	Senior Staff Engineer Gene.Williams@cityofls.net	No Comments
<b>Fire Review</b>	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Approved with Conditions

1. Only one point of vehicle access is provided to this development and two are required. Second access to be concurrent with the Reserve, per response letter from Schlagel.

<b>Traffic Review</b>	Erin Ralovo	Senior Staff Engineer Erin.Ravolo@cityofls.net	No Comments
<b>GIS Review</b>	Kathy Kraemer (816) 969-1277	GIS Technician Kathy.Kraemer@cityofls.net	Corrections

1. Highland Park was accepted as a street name per Shannon, but "WOOD LN" is used in both the NE and SE part of the city. This must be a continuation of the existing road alignment in order to use this name. Please verify that this is a continuation of the existing road or change the name of the street. Per LSMO street name policy (April 2009): Streets in general alignment with existing adjacent streets shall be given the same street name. Disconnected street segments shall adhere to this criterion even if there is no chance of a future connection. Streets shall have different names if they are not in alignment.