

BILL NO. 22-137

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR RAINTREE VILLAGE ON LAND LOCATED AT 1501 SW ARBORWALK BOULEVARD 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 #PL2022-119 submitted by Scenic Development, LLC, requesting approval of a preliminary development plan on land located at 1501 SW Arborwalk Boulevard 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 26, 2022, 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 July 12, 2022, 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:

TITLE COMMITMENT NO. 210232

PROPERTY DESCRIPTION PER CHICAGO TITLE INSURANCE COMPANY'S ALTA COMMITMENT FOR TITLE INSURANCE NO. 210232 UPDATE 7/15/2021, DATED JUNE 30, 2021 AT 08:00 AM.

TRACT 1:

ALL THAT PART OF THE SOUTH HALF OF SECTION 25, TOWNSHIP 47, RANGE 32, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, LYING NORTH OF THE NORTH LINE OF MISSOURI HIGHWAY 150, AS PRESENTLY ESTABLISHED, LYING EAST OF THE EAST LINE OF SW ARBORIDGE DRIVE AND SOUTH OF THE SOUTH LINE OF SW ARBORWALK BOULEVARD AS SHOWN ON THE PLAT OF ARBORWALK 4TH PLAT, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, AND LYING WEST OF THE WEST LINE OF TRACT 6-A, AMENDED ARBORWALK 6TH PLAT, LOTS 3001 THRU 3003 AND TRACT "6-A", A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI. (SHOWN FOR CONVENIENCE IN REPORTING; SEE SCHEDULE B-1 #15 HEREIN)

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SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan dated March 25, 2022 shown as Exhibit A.

SECTION 3. 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 4. 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 5. 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 _____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*