

## **BILL NO. 20-03**

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AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED AT 2030 NW O'BRIEN ROAD IN DISTRICT RP-3, PROPOSED WOODSIDE RIDGE SUBDIVISION POOL, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-351, submitted by Clayton Properties Group, Inc., requesting approval of a preliminary development plan in District RP-3 (Planned Residential Mixed Use District) on land located at 2030 NW O'Brien Rd 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 a public hearing for the consideration of the preliminary development plan on December 12, 2019, 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 January 7, 2020 and approved a motion for a second ordinance reading 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 in District RP-3 on the following described property:

A tract of land in the Northeast Quarter and Southeast Quarter of Section 2, Township 47 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri being bounded and described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 02°53'56" East, along the East line of said Southeast Quarter, 1,328.34 feet; thence North 87°49'43" West, along the South line of the North Half of said Southeast Quarter, said line also being the North line and it's Easterly extension of STERLING HILLS 1ST PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri, 580.00 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 87°49'43" West along said line and the North line of STERLING HILLS 3RD PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri, 2,048.70 feet to the Southwest corner of the North Half of said Southeast Quarter, said corner also being a point on the East line of STERLING HILLS 5TH PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri; thence North 03°05'41" East, along the West line of said Southeast Quarter, said line also being the East line of said STERLING HILLS 5TH PLAT, 1,325.87 feet to the Northwest corner of said Southeast Quarter; thence North 03°26'14" East, along the West line of said Northeast Quarter, said line also being the East line of WINTERSET WOODS 3RD PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri, 665.72 feet to the Northwest corner of the South Half of the South Half of said Northeast Quarter, said corner also

## **BILL NO. 20-03**

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being a point on the South line of THE FORESTS OF BROOKRIDGE ESTATES SECOND PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri; thence South 87°37'42" East, along the South line of said THE FORESTS OF BROOKRIDGE ESTATES SECOND PLAT and the South line of THE FORESTS OF BROOKRIDGE ESTATES THIRD PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri 1,210.45 feet to the Southeast corner of said THE FORESTS OF BROOKRIDGE ESTATES THIRD PLAT; thence North 03°27'53" East, along the East line of said THE FORESTS OF BROOKRIDGE ESTATES THIRD PLAT, 765.70 feet to the Southwest corner of Lot 1, VILLAGE CARE CENTER PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri; thence South 87°23'49" East, along the South line of said Lot 1, 1,343.72 feet to a point on the West right-of-way line of NW Pryor Road, as now established, said point also being the Northeast corner of Lot 1, FOREST LAKE AT JOHN KNOX VILLAGE 1ST PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri; thence South 03°27'53" West, along said West right-of-way line, 243.74 feet; thence South 87°23'49" East, continuing along said West right-of-way line, 20.00 feet; thence South 03°27'53" West, continuing along said West right-of-way line, 237.99 feet; thence North 86°32'07" West, 499.90 feet; thence South 03°27'53" West, 70.20 feet; thence North 86°32'07" West, 200.00 feet; thence South 03°27'53" West, 221.62 feet to a point on the North line of the South Half of the South Half of said Northeast Quarter; thence South 87°37'42" East, 200.04 feet to the Northwest corner of Lot 1, JOHN KNOX RETIREMENT VILLAGE 9TH/ PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri; thence South 03°27'53" West, along the West line of said Lot 1, 362.00 feet to the Southwest corner of said Lot 1, said corner also being a point on the North right-of-way line of O'Brien Road, as now established; thence continuing South 03°27'53" West, 38.00 feet to a point on the South right-of-way line of said O'Brien Road; thence South 04°27'07" West, 289.53 feet; thence North 85°32'53" West, 175.00 feet; thence South 04°27'07" West, 425.00 feet; thence South 85°32'53" East, 175.00 feet; thence South 04°27'07" West, 484.59 feet; thence South 02°53'56" West, 60.12 feet; thence continuing South 02°53'56" West along said line, 325.85 feet to the Point of Beginning. Containing 4,872,919 square feet or 112.13 acres, more or less.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the required 50' sports court setback along the west property line, to allow a 33' sports court setback along the west property line.

SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped November 12, 2019.

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.

**BILL NO. 20-03**

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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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor *William A. Baird*

ATTEST:

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City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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City Attorney *Brian W. Head*