

BILL NO. 21-245

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN REQUESTING THE REVISION OF A CERTAIN SECTION #5 FROM APPROVAL ORDINANCE NO. 6106 FOR THE CHAPEL RIDGE MIXED USE DEVELOPMENT ARCHITECTURAL ELEVATIONS IN DISTRICTS RP-1 AND RP-3, 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 #PL2021-367 submitted by Engineering Solutions, LLC, requesting approval of a preliminary development plan in Districts RP-1 (Planned Single-family Residential) and RP-3 (Planned Residential Mixed Use) revising a certain section #5 from approval Ordinance No. 6106 for the Chapel Ridge Mixed Use Development 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 request on November 4, 2021, and rendered a report to the City Council containing findings of fact and a recommendation 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 December 7, 2021, 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 Districts RP-1 and RP-3 on the following described property:

District RP-1:

ALL THAT PART OF THE SW1/4 AND THAT PART OF THE SE1/4 OF SECTION 8, TOWNSHIP 48, RANGE 31, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE SW1/4 OF SAID SECTION 8; THENCE N 02°-30'-10" E, ALONG THE EAST LINE OF SAID SW1/4, 40.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WOODS CHAPEL ROAD AS NOW ESTABLISHED, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 88°-09'-20" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID WOODS CHAPEL ROAD, BEING PARALLEL WITH AND 40 FEET NORTH OF THE SOUTH LINE OF SAID SW1/4, 1319.57 FEET TO A POINT ON THE WEST LINE OF THE SE1/4 OF SAID SW1/4, SAID POINT BEING N 02°-30'-45" E, 40.00 FEET FROM THE SW CORNER THEREOF; THENCE N 02°-30'-45" E, ALONG THE WEST LINE OF THE SE1/4 OF SAID SW1/4, 1285.15 FEET TO THE NW CORNER THEREOF; THENCE S 88°-07'-55" E, ALONG THE NORTH LINE

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OF THE SE1/4 OF SAID SW1/4, 969.54 FEET TO A POINT N 88°-07'-55" W, 349.81 FEET FROM THE NE CORNER THEREOF; THENCE S 01°-45'-08" W, 376.28 FEET; THENCE S 27°-41'-10" E, 105.95 FEET; THENCE S 43°-27'-11" E, 732.72 FEET TO THE NORTH LINE OF CHAPEL RIDGE, A SUBDIVISION IN SAID CITY, COUNTY AND STATE; THENCE N 88°-10'-27" W, ALONG THE NORTH LINE OF SAID CHAPEL RIDGE SUBDIVISION, 235.12 FEET TO THE NW CORNER THEREOF, SAID POINT BEING ON THE WEST LINE OF THE SE1/4 OF SAID SECTION 8; THENCE S 02°-30'-10" W, ALONG THE WEST LINE OF SAID SE1/4, 300.73 FEET TO THE POINT OF BEGINNING, CONTAINING 34.910 ACRES.

AND

District RP-3:

ALL THAT PART OF THE SE1/4 OF SECTION 8, TOWNSHIP 48, RANGE 31, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF THE SE1/4 OF SAID SECTION 8; THENCE N 02°-30'-10" E, ALONG THE WEST LINE OF SAID SE1/4, 340.73 FEET TO THE NW CORNER OF CHAPEL RIDGE, A SUBDIVISION IN SAID CITY, COUNTY AND STATE; THENCE S 88°-10'-27" E, ALONG THE NORTH LINE OF SAID CHAPEL RIDGE SUBDIVISION, 606.39 FEET TO THE CENTER LINE OF RALPH POWELL ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 01°-49'-33" E, 270.88 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 325.00 FEET, AN ARC DISTANCE OF 424.93 FEET; THENCE N 76°-44'-21" E, 65.54 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE LEFT, HAVING A RADIUS OF 300.00 FEET, AN ARC DISTANCE OF 35.41 FEET; THENCE N 69°-58'-35" E, 104.02 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 300.00 FEET, AN ARC DISTANCE OF 18.46 FEET; THENCE N 03°-02'-00" E, 327.12 FEET TO A POINT ON THE NORTH LINE OF THE SW1/4 OF THE SE1/4 OF SAID SECTION 8, SAID POINT BEING S 88°-14'-30" E, 1052.80 FEET FROM THE NW CORNER THEREOF; THENCE S 88°-14'-30" E, ALONG THE NORTH LINE OF THE SW1/4 OF SAID SE1/4, 200.05 FEET TO THE WEST RIGHT-OF-WAY LINE OF OLD MISSOURI ROUTE 291 (FORMERLY ROUTE 00) AS DESCRIBED BY DOCUMENT NO. 653855 IN BOOK 1302 AT PAGE 92; THENCE S 03°-02'-00" W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID OLD MISSOURI ROUTE 291 (60 FEET FROM THE CENTER LINE THEREOF), 468.20 FEET TO A POINT 60 FEET OPPOSITE CENTER LINE STATION 169+00; THENCE CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF SAID MISSOURI ROUTE 291 THE FOLLOWING COURSES AND DISTANCE: S 05°-53'-45" W, 100.12 FEET TO A POINT 65 FEET OPPOSITE CENTER LINE STATION 170+00; THENCE S 03°-02'-00" W, 100.00 FEET TO A POINT 65 FEET OPPOSITE CENTER LINE STATION 171+00; THENCE S 00°-10'-15" W, 100.12 FEET TO A POINT 60 FEET OPPOSITE CENTER LINE STATION 172+00; THENCE S 03°-02'-00" W, 139.78 FEET TO A POINT 60 FEET OPPOSITE CENTER LINE P.I. STATION 173+39.3; THENCE CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF SAID OLD MISSOURI ROUTE 291 (60 FEET FROM THE CENTER LINE THEREOF), S 02°-07'-00" W, 77.50 FEET TO THE NORTHEAST CORNER OF SAID CHAPEL RIDGE SUBDIVISION; THENCE LEAVING THE WEST RIGHT-OF-WAY LINE OF SAID OLD MISSOURI ROUTE 291, N 88°-10'-

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27" W, ALONG THE NORTH LINE OF SAID CHAPEL RIDGE SUBDIVISION, 638.56 FEET (PLAT= 642.03 FEET) TO THE POINT OF BEGINNING, CONTAINING 10.165 ACRES.

SECTION 2. That the following conditions of approval apply:

1. Section #5 of Ordinance No. 6106 approving a preliminary development plan for the Chapel Ridge Mixed Use Development shall be amended to establish the architectural design guidelines dated September 1, 2021, as the governing design standards for The Villas of Chapel Ridge and The Townhomes of Chapel Ridge.
2. The Chapel Ridge Mixed Use Development shall continue to be subject to all other obligations of Ordinance No. 6106.

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 _____, 2021.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

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APPROVED by the Mayor of said city this ____ day of _____, 2021.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian Head