

BILL NO. 17-73

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM DISTRICT PLANNED COMMUNITY COMMERCIAL (CP-2) TO DISTRICT SINGLE-FAMILY RESIDENTIAL (R-1), APPROXIMATELY 16 ACRES LOCATED AT THE SOUTHEAST CORNER OF SW RAIN TREE DR AND SW RAIN TREE PKWY FOR THE PROPOSED CREEK SIDE AT RAIN TREE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-005, requesting a change in zoning classification from District Planned Community Commercial (CP-2) to District Single-family Residential (R-1), approximately 16 acres located at the southeast corner of SW Raintree Dr and SW Raintree Pkwy for the proposed Creekside at Raintree; submitted by Landrock Development, LLC, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on February 28, 2017, and rendered a report to the City Council recommending that the zoning requested be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on March 16, 2017, and rendered a decision to rezone said property.

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

SECTION 1. That the following described property is hereby rezoned from District CP-2 to District R-1:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 31 AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 47 NORTH, RANGE 31 WEST, IN LEE'S SUMMIT, JACKSON COUNTY, AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 46 NORTH, RANGE 31 WEST, IN LEE'S SUMMIT, CASS COUNTY, ALL IN MISSOURI, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 32; THENCE S87°37'20"E ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 32, A DISTANCE OF 387.59 FEET TO THE POINT OF BEGINNING; THENCE N06°54'00"W, A DISTANCE OF 489.24 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RAIN TREE DRIVE AS PLATTED WITH THE FINAL PLAT OF RAIN TREE LAKE LOTS 454 THRU 526, A SUBDIVISION IN SAID CITY, COUNTY AND STATE; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 884.78 FEET, AN INITIAL TANGENT BEARING OF S59°42'33"W, AN ARC DISTANCE OF 411.43 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF RAIN TREE PARKWAY AS DESCRIBED IN DOCUMENT I-450994, IN BOOK I-1067 AT PAGE 368; THENCE S01°42'15"E, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 146.41 FEET TO A POINT OF CURVE; THENCE SOUTHERLY, ALONG A CURVE TO THE RIGHT, TO WHICH THE PRECEDING COURSE IS TANGENT, HAVING A RADIUS OF 2018.52 FEET, AN ARC DISTANCE OF 404.67 FEET TO A POINT OF TANGENCY; THENCE S09°46'57"W, ALONG A LINE TANGENT TO THE PRECEDING COURSE, A DISTANCE OF 145.86 FEET TO THE NORTHERNMOST CORNER OF TRACT 3, AS DESCRIBED IN SCHEDULE "A" OF THE WARRANTY DEED RECORDED IN BOOK 805 AT PAGE 257; THENCE S02°12'56"W, ALONG THE EAST LINE OF SAID TRACT 3, A DISTANCE OF 531.17 FEET; THENCE CONTINUING ALONG SAID EAST LINE,

BILL NO. 17-73

S80°13'03"E, A DISTANCE OF 60.00 FEET; THENCE S89°01'15"E, A DISTANCE OF 534.26 FEET; THENCE N02°18'01"E, A DISTANCE OF 872.60 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE N87°37'20"W, ALONG SAID SOUTH LINE, A DISTANCE OF 110.24 FEET TO THE POINT OF BEGINNING.
CONTAINING 15.70 ACRES, MORE OR LESS

SECTION 2. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

SECTION 3. 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 _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this ____ day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*