

BILL NO. 21-155

AN ORDINANCE APPROVING A REZONING FROM CP-2 TO DISTRICT PMIX AND CONCEPTUAL DEVELOPMENT PLAN FOR APPROXIMATELY 25.7 ACRES, PROPOSED RANSON LANDING, 1401 SE OLDHAM PKWY, 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 #PL2021-182 submitted by Engineering Solutions, LLC, requesting approval of a rezoning from CP-2 (Planned Community Commercial District) to PMIX (Planned Mixed-Use District) and conceptual development plan on land located at 1401 SE Oldham Pkwy was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning and conceptual 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 rezoning and conceptual development plan on July 22, 2021, and rendered a report to the City Council recommending that the rezoning and 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 August 3, 2021, and rendered a decision to approve the rezoning and conceptual 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 rezoning from CP-2 to PMIX and conceptual development plan is hereby approved on the following described property:

All of the Southwest Quarter of Section 10, Township 47, Range 31, in Lee's Summit, Jackson County, Missouri lying between the South right-of-way line of U.S. Highway 50 and the following described line; Beginning at a point on the West line of said Southwest Quarter that is 1008.2 feet South of the Northwest corner thereof, said point being 900 feet South of the center-line of the East-bound or South traffic lane of said Highway 50; thence East parallel with said centerline to the East line of said Southwest Quarter.

Except All right, title and interest over and across All that part of defendants' real property and real property rights and interest in A tract of land located in the North of the Southwest Quarter of Section 10, Township 47 North, Range 31 West, in Lee's Summit, Jackson County, Missouri, lying within the widths on the right or Southerly side of the following described Eastbound Route .50 improvement centerline, to wit: Beginning with a width of 274.3 meters (900 feet) at Station 24+219.758; thence an even width of 274.3 meters (900 feet) to Station 24+234.8; thence decreasing uniformly to a width of 248.4 meters (815 feet) at Station 24+240.4; thence decreasing uniformly to a width of 212 meters (696 feet) at Station 24+248.7; thence decreasing uniformly to a width of 196.6 meters (645 feet) at Station 24+282.8; thence decreasing uniformly to a width of 190 meters (623 feet) at Station 24+300; thence decreasing uniformlly to a width of 55

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meters (181 feet) at Station 24+525; thence an even width of 55 meters (181 feet) to Station 24+600; thence decreasing uniformly to a width of 43 meters (141 feet) at Station 24+650; thence an even width of 43 meters (141 feet) to Station 24+925; thence increasing uniformly to a width of 45 meters (148 feet) at Station 24+947; thence decreasing uniformly to a width of 39.1 meters (128 feet) at Station 24+975, Except that part, if any, in Ransom Road and 50 Highway. Further Except the land conveyed by the Deed recorded October 17, 2019 as DocUillent No. 2019E0084427, more particularly described as follows: All that part of the Southwest Quarter of Section 10, Township 47 North, Range 31 West, in the City of Lee's Summit, Jackson County, Missouri, described as follows: Commencing at the Northwest corner of the Southwest Quarter of Section 10, Township 47 North, Range 31 West, said point also lying on the centerline of Westbound U.S. Route 50 right-of-way, as established in MoDot Job No. J4PI 191, dated 12/14/98; thence South 87 degrees 49 minutes 47 seconds East, along the North line of said Southwest Quarter, and along said centerline, a distance of 1938.21 feet to a point; thence South 02 degrees 10 minutes 13 seconds West, departing said North line and said centerline, a distance of 246.56 feet to a point on the South line of said U.S. Route 50 right-of-way, as established in said MoDot Job No. J4PI 191, dated 12/14/98, the point of beginning; thence South 87 degrees 48 minutes 47 seconds East, along said South line, a distance of 375.44 feet to a point; thence South 82 degrees 16 minutes 26 seconds East, continuing along said South line, a distance of 72.52 feet to a point; thence North 79 degrees 54 minutes 16 seconds East, continuing along said South line, a distance of 94.02 feet to a point; thence South 87 degrees 48 minutes 47 seconds East, continuing along said South line, a distance of 162.49 feet to a point on the East line of said Southwest Quarter; thence South 02 degrees 13 minutes 14 seconds West, departing said South line, along said East line, a distance of 769.10 feet to the Northeast corner of Princeton Heights 3rd Plat, a subdivision in the City of Lee's Summit, Jackson County, Missouri; thence North 87 degrees 51 minutes 04 seconds West, departing said East line, along the North line of said Princeton Heights 3rd Plat, and along the North line of Princeton Heights 2nd Plat, a subdivision in the City of Lee's Summit, Jackson County, Missouri, a distance of 701.97 feet to a point; thence North 02 degrees 13 minutes 14 seconds East, departing said North lines, a distance of 756.57 feet to the point of beginning.

SECTION 2. That the following conditions of approval apply:

1. No construction may occur on any property until one or more preliminary development plans and final development plans have been approved in accordance with the UDO.
2. A regional detention basin will be required to be a part of the initial preliminary development plan.
3. A revised / updated stormwater drainage study will be required to be submitted with the initial preliminary development plan. The study shall include additional information for items identified in the Analysis section of the staff report.

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

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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

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 W. Head