

BILL NO. 24-214

AN ORDINANCE APPROVING REZONING FROM DISTRICT R-1 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT RP-1 (PLANNED SINGLE-FAMILY RESIDENTIAL) AND RP-3 (PLANNED RESIDENTIAL MIXED USE) AND A PRELIMINARY DEVELOPMENT PLAN FOR THE TOWNHOMES OF CHAPEL RIDGE ON APPROXIMATELY 3.29 ACRES OF LAND LOCATED AT 4060 NE RALPH POWELL ROAD, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-217 submitted by Engineering Solutions, LLC., requesting approval of a rezoning from District R-1 to District RP-1 and RP-3 and preliminary development plan on land located at 4060 NE Ralph Powell Rd 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 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 rezoning and preliminary development plan on October 24, 2024, and November 14, 2024, and rendered a report to the City Council recommending that the rezoning and 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 10, 2024, and rendered a decision to approve the rezoning and 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 rezoning and preliminary development plan is hereby approved on the following described property:

REZONING FROM R-1 TO RP-1

A tract of land being located in Section 8, Township 48 North, Range 31 West being more particularly described as follows:

Commencing at the Southeast corner of Lot 15, The Estates of Chapel Ridge 1st Plat, a subdivision as recorded in the Office of the Recorder, Jackson County, Missouri; thence South 88° 14' 52" East, a distance of 45.25 feet; thence South 01° 45' 08" West, a distance of 25.01 feet to the Point of Beginning; thence South 88° 14' 49" East, a distance of 217.54 feet; thence South 01° 45' 08" West, a distance of 24.84 feet; thence along a curve to the left tangent to the preceding course and having a radius of 300.00 feet, an arc distance of 215.95 feet; thence South 39° 29' 31" East, a distance of 92.79 feet; thence along a curve to the right tangent to the preceding course and having a radius of 200.00 feet, an arc distance of 194.90 feet; thence along a reverse curve having a radius of 575.00 feet, an arc distance of 15.27 feet; thence North 75° 10' 52" West, a distance of 25.00 feet; thence along a curve to the left having an initial tangent bearing of South 14° 49' 01" West and a radius of 600.00 feet, an arc distance of 24.96 feet; thence North 77° 33' 53" West, a distance of 133.84 feet; thence North 18° 32' 00" East, a distance of 70.62

BILL NO. 24-214

feet; thence North 40° 03' 36" West, a distance of 70.27 feet; thence North 64° 01' 33" West, a distance of 96.13 feet; thence North 43° 27' 11" West, a distance of 90.00 feet; thence North 21° 35' 06" West, a distance of 135.47 feet; thence North 1° 45' 08" East, a distance of 136.19 feet, returning to the Point of Beginning.

Containing 108,590.16 Sq. Ft. or 2.49 Acres, More or Less; and

REZONING FROM R-1 TO RP-3

A tract of land being located in Section 8, Township 48 North, Range 31 West being more particularly described as follows:

Beginning at the Northeast corner of Lot 15, The Estates of Chapel Ridge 1st Plat, a subdivision as recorded in the Office of the Recorder, Jackson County, Missouri; thence South 88° 14' 10" East, a distance of 270.00 feet; thence South 01° 45' 08" West, a distance of 130.54 feet; thence South 17° 50' 50" West, a distance of 26.02 feet; thence North 88° 14' 49" West, a distance of 217.54 feet; thence North 1° 45' 08" East, a distance of 25.00 feet; thence North 88° 14' 52" West, a distance of 45.25 feet; thence North 1° 45' 08" East, a distance of 130.59 feet, returning to the Point of Beginning.

Containing 40,781.41 Sq. Ft. or 0.93 Acres, More or Less.

AND

PRELIMINARY DEVELOPMENT PLAN

Beginning at the Northeast corner of Lot 15, The Estates of Chapel Ridge 1st Plat, a subdivision as recorded in the Office of the Recorder, Jackson County, Missouri; thence South 88° 14' 10" East, a distance of 270.00 feet; thence South 01° 45' 08" West, a distance of 130.54 feet; thence South 17° 50' 50" West, a distance of 26.02 feet; thence South 01° 45' 08" West, a distance of 24.84 feet; thence along a curve to the left tangent to the preceding course and having a radius of 300.00 feet, an arc distance of 215.95 feet; thence South 39° 29' 31" East, a distance of 92.79 feet; thence along a curve to the right tangent to the preceding course and having a radius of 200.00 feet, an arc distance of 194.90 feet; thence along a reverse curve having a radius of 575.00 feet, an arc distance of 15.27 feet; thence North 75° 10' 52" West, a distance of 25.00 feet; thence along a curve to the left having an initial tangent bearing of South 14° 49' 01" West and a radius of 600.00 feet, an arc distance of 24.96 feet; thence North 77° 33' 53" West, a distance of 133.84 feet; thence North 18° 32' 00" East, a distance of 70.62 feet; thence North 40° 03' 36" West, a distance of 70.27 feet; thence North 64° 01' 33" West, a distance of 96.13 feet; thence North 43° 27' 11" West, a distance of 90.00 feet; thence North 21° 35' 06" West, a distance of 135.47 feet; thence North 1° 45' 08" East, a distance of 161.19 feet; thence North 88° 14' 52" West, a distance of 45.25 feet; thence North 1° 45' 08" East, a distance of 130.59 feet, returning to the Point of Beginning.

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan uploaded September 27, 2024.

BILL NO. 24-214

2. The RP-3-zoned Lots 41 and 42 shall be limited to detached single-family or two-family residential development.
3. The architectural style for the single-family and two-family residences shall be consistent with the villa building elevations and townhome elevations uploaded October 17, 2024. Building materials shall include masonry fronts, stucco on all elevations and concrete tile roofs.

SECTION 3. That rezoning of the property from R-1 to RP-1 and RP-3 shall be as depicted on the rezoning exhibits appended hereto as Attachment A. Development shall be in accordance with the preliminary development plan uploaded September 27, 2024, appended hereto as Attachment B; single-family villa and townhome elevations uploaded October 17, 2024, appended hereto as Attachments C and D, respectively.

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.

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 _____, 2024.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

BILL NO. 24-214

APPROVED by the Mayor of said city this ____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*