

BILL NO. 21-20

AN ORDINANCE APPROVING A REZONING FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT RP-1 (PLANNED SINGLE-FAMILY RESIDENTIAL) AND PRELIMINARY DEVELOPMENT PLAN FOR HIGHLAND MEADOWS 5TH AND 6TH PLAT, LOCATED AT 1201 SW LONGVIEW BLVD., 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 #PL2020-335 submitted by Clayton Properties Group, Inc., requesting approval of a rezoning from R-1 (Single-family Residential) to RP-1 (Planned Single-family Residential) and preliminary development plan on land located at 1201 SW Longview Blvd, 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 public hearings for the consideration of the rezoning and preliminary development plan on January 7, 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 February 2, 2021, 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:

A TRACT OF LAND FOR REZONING PURPOSES ONLY LYING IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 47 NORTH, RANGE 32 WEST, IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEARINGS ARE REFERENCED TO GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, 1983, WEST ZONE, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE NORTH 87°10'35" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 747.13 FEET TO THE SOUTHEAST CORNER OF LOT 114, HIGHLAND MEADOWS, FOURTH PLAT, RECORDED AS DOCUMENT NO. 2017E0104888; THENCE ALONG THE EAST LINE OF SAID HIGHLAND MEADOWS, FOURTH PLAT THE FOLLOWING TWENTY-FOUR (24) COURSES:

NORTH 02°48'00" EAST, A DISTANCE OF 170.17 FEET TO THE SOUTHEAST CORNER OF LOT 116; THENCE NORTH 01°49'29" EAST, A DISTANCE OF 121.61 FEET TO THE NORTHEAST CORNER OF LOT 115; THENCE NORTH 73°08'56" WEST, A DISTANCE OF 76.31 FEET TO THE NORTHWEST CORNER OF SAID LOT 115; THENCE NORTH 87°51'19" WEST, A DISTANCE OF 74.00 FEET TO THE NORTHWEST CORNER OF LOT 116; THENCE SOUTH 88°54'43" WEST, A DISTANCE OF 149.12 FEET TO THE SOUTHEAST CORNER OF LOT 119; THENCE NORTH 02°48'00" EAST, A DISTANCE OF 120.59 FEET TO THE

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NORTHEAST CORNER OF SAID LOT 119 AND BEING ON THE SOUTH RIGHT OF WAY LINE OF S.W. 12TH STREET, AS PREVIOUSLY ESTABLISHED AND BEING ON A NON-TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT, HAVING A CHORD BEARING OF SOUTH 86°33'11" EAST, A RADIUS OF 425.00 FEET FOR AN ARC DISTANCE OF 9.84 FEET; THENCE NORTH 03°06'24" EAST, A DISTANCE OF 177.15 FEET TO THE NORTHEAST CORNER OF LOT 120; THENCE NORTH 00°22'00" WEST, A DISTANCE OF 120.67 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF S.W. 11TH TERRACE, AS PREVIOUSLY ESTABLISHED, SAID POINT BEING ON A NON-TANGENT CURVE THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT, HAVING A CHORD BEARING OF NORTH 83°36'22" EAST, A RADIUS OF 325.00 FEET, FOR AN ARC DISTANCE OF 43.75 FEET; THENCE NORTH 10°15'00" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 06°12'00" EAST, A DISTANCE OF 72.00 FEET; THENCE NORTH 16°33'00" EAST, A DISTANCE OF 62.50 FEET; THENCE NORTH 26°48'00" EAST, A DISTANCE OF 63.00 FEET; THENCE NORTH 81°30'52" EAST, A DISTANCE OF 98.41 FEET; THENCE NORTH 65°50'00" EAST, A DISTANCE OF 47.81 FEET; THENCE SOUTH 45°10'38" EAST, A DISTANCE OF 46.73 FEET; THENCE NORTH 37°02'04" EAST, A DISTANCE OF 125.23 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF S.W. 11TH STREET, AS PREVIOUSLY ESTABLISHED AND BEING ON A NON-TANGENT CURVE TO THE LEFT; THENCE ALONG SAID RIGHT OF WAY LINE AND ALONG SAID CURVE TO THE LEFT, HAVING A CHORD BEARING OF SOUTH 54°30'28" EAST, A RADIUS OF 325.00 FEET, FOR AN ARC DISTANCE OF 17.50 FEET; THENCE NORTH 33°57'00" EAST, A DISTANCE OF 170.06 FEET; THENCE NORTH 44°53'00" WEST, A DISTANCE OF 71.49 FEET; THENCE NORTH 26°55'00" WEST, A DISTANCE OF 28.37 FEET; THENCE NORTH 15°00'00" EAST, A DISTANCE OF 78.60 FEET TO THE SOUTHEAST CORNER OF LOT 133 OF SAID HIGHLAND MEADOWS, FOURTH PLAT, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 48, HIGHLAND MEADOWS, FIRST PLAT, LOTS 1-50 & TRACTS A & B, AS RECORDED IN DOCUMENT NO. 2007E0125590; THENCE ALONG THE SOUTH LINE OF SAID HIGHLAND MEADOWS, FIRST PLAT, THE FOLLOWING FOUR (4) COURSE; NORTH 15°00'00" EAST, A DISTANCE OF 80.02 FEET; THENCE NORTH 38°24'00" EAST, A DISTANCE OF 63.50 FEET; THENCE NORTH 48°00'00" EAST, A DISTANCE OF 172.83 FEET TO THE CENTERLINE OF S.W. FORD DRIVE, AS PREVIOUSLY ESTABLISHED; THENCE NORTH 52°24'02" EAST, A DISTANCE OF 139.72 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF LONGVIEW BLVD, AS PREVIOUSLY ESTABLISHED BY HIGHLAND MEADOWS, THIRD PLAT, LOT 79-87, 90-92 & TRACT E AS RECORDED IN DOCUMENT NO. 2014E0053988, SAID POINT BEING ON A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID WEST RIGHT OF WAY LINE AND ALONG SAID CURVE TO THE RIGHT, HAVING A CHORD BEARING OF SOUTH 28°26'14" EAST, A RADIUS OF 1045.00 FEET FOR AN ARC DISTANCE OF 367.47 FEET; THENCE NORTH 70°15'57" EAST, ALONG THE SOUTH LINE OF SAID HIGHLAND MEADOWS, THIRD PLAT AND ALONG THE SOUTH RIGHT WAY LINE OF S.W. 11TH STREET, AS ESTABLISHED BY SAID HIGHLAND MEADOWS, THIRD PLAT, A DISTANCE OF 138.10 FEET TO THE NORTHWEST CORNER OF LOT 92 OF SAID HIGHLAND MEADOWS, THIRD PLAT; THENCE SOUTH 14°13'00" EAST, ALONG THE WEST LINE OF SAID LOT 92, A DISTANCE OF 127.83 FEET TO THE SOUTHWEST CORNER OF SAID LOT 92; THENCE SOUTH 87°00'00" EAST, ALONG THE SOUTH LINE OF SAID LOT 92, A DISTANCE OF 65.73 FEET TO THE SOUTHEAST CORNER OF SAID LOT 92 AND BEING ON THE WEST LINE OF LOT 130, THE GLEN AT THE MEADOWS OF WITNERSET, THIRD PLAT, LOTS 118-184, RECORDED AS DOCUMENT NO. 2003I0024858; THENCE SOUTH 03°06'46" WEST, ALONG THE WEST LINE OF SAID GLEN AT THE MEADOWS OF WINTERSET, THIRD PLAT, THE WEST LINE OF THE GLEN AT THE

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MEADOWS OF WINTESSET, FIFTH PLAT, LOTS 212-233 & TRACT E, ALSO BEING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 1260.55 FEET TO THE POINT OF BEGINNING. CONTAINING 1,270,417.84 SQ. FEET (29.16 ACRES).

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan dated December 14, 2020.
2. The architectural style and building materials for the single-family homes shall be consistent with the building elevations that were submitted December, 30 2020.
3. Financial security shall be provided to the City for the construction of Longview Boulevard from 10th Street to the south property line of Highland Meadows, in lieu of construction if developer elects to defer such construction, prior to the release of residential building permits associated with either 5th Plat or 6th Plat. However, no more than one plat, whether it is 5th Plat or 6th Plat, shall be recorded and associated residential building permits issued unless the aforementioned Longview Boulevard road improvements are substantially completed.

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 W. Head*