

Date: December 9, 2025

To: City Council

From: Scott Ready, Project Manager

Re: **Appeal of Director's decision - Unified Development Ordinance Section 2.340 (limitation on successive applications for preliminary development plan) for Pathways at Kensington Farms (PL#2025-098); Petra Development, appellant/applicant.**

BACKGROUND

On November 18, 2025, the City Council considered a preliminary development plan (PDP) for Pathways at Kensington Farms, a proposed 540-unit residential development on ±13 acres at 1231 SW Waterloo Drive (generally located at Ward Road and SW County Line Road). The project included a mix of housing types across three phases:

- Phase One – 235 detached Single Family Residential units
- Phase Two – 177 attached Townhome Residential units, three- and six-packs
- Phase Three – 128 attached Two-Family Residential units, senior villas (duplex)

The project also included a land swap with the City of Lee's Summit and Raymore-Peculiar School District to allow for a future park and school along the western boundary of the project site. Following the public hearing, the City Council denied the PDP request. Following the Council decision, the applicant team approached staff to discuss the feasibility and/or timing requirements for submitting a modified version of the PDP for Phase I **only**.



Figure 1 – Proposed Pathways at Kensington Farms Site Plan. Phase One is shown in purple.

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STAFF ANALYSIS

Unified Development Ordinance (UDO) Section 2.340, provided below for reference, establishes regulations governing successive applications for PDPs, and states that no application shall be accepted if an application for “substantially the same property” has been filed within the preceding 60 days.

The Director of Development Services is responsible for determining if a new application would involve “substantially the same property” as the prior submission. In this case, after reviewing UDO, the Director determined that the proposed new PDP would involve “substantially the same property” as the boundary of the property remain unchanged from the previous request. The 60-day period would continue to run. Once exhausted, the applicant could submit a new PDP, whether that be for Phase I only or some other iteration of the previously considered project.

Sec. 2.340. – Limitation on successive applications for preliminary development plan.

- A. No application for a preliminary development plan shall be accepted if any application for substantially the same property has been filled within the preceding 60 days.*
- B. For purposes of Subsection A. of this section, the preceding 60-day period shall be determined as follows:*
 - 1. If there was final action (either approval or denial) on the prior application, the 60-day period shall run from the date of such action.*
 - 2. If the prior application was withdrawn after being advertised for public hearing, the 60-day period shall run from the date the application was withdrawn.*
- C. The Director shall determine if an application concerns “substantially the same property” as a prior application. The property owner may appeal any such determination to the Governing Body.*
- D. The Governing Body may waive the limitation in this section for good cause shown.*

APPEAL OF DIRECTOR DECISION

On December 4, 2025, the applicant filed an appeal of the Director’s decision, requesting that the City Council waive the 60-day limitation to allow them to immediately submit a new PDP request for Phase I only. Consideration of this appeal is not a public hearing, nor is any noticing to the public required. At this time, all that is being considered is whether to waive the 60-day limitation on a new PDP submittal.

- If the City Council **approves** the appeal, the remainder of the 60-day period would be waived. A new PDP (for Phase I only) could be submitted immediately. The new PDP application (for Phase I only) would be required to meet all applicable UDO procedural and substantive requirements. This may include, but is not limited to, hosting a neighborhood meeting, providing all mandated public notifications and published notices, and satisfying all criteria and processes associated with public hearings.
- If the City Council **denies** the appeal, the remainder of the 60-day period would continue. Once the 60-day period is exhausted, the applicant may submit any iteration of the project desired. It too would be required to meet all applicable UDO procedural and substantive requirements.

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