

## **BILL NO. 24-109**

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AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR COBEY CREEK ON LAND LOCATED AT 500 SE M-150 HIGHWAY, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-073 submitted by Clayton Properties Group, requesting approval of a Preliminary Development Plan in district PMIX on land located at 500 SE M-150 Highway was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a 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 Preliminary Development Plan on May 23, 2024, and rendered a report to the City Council recommending that the 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 June 18, 2024, and rendered a decision to approve the 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 Preliminary Development Plan is hereby approved on the following described property:

*All that part of the Southeast Quarter of Section 29, Township 47, Range 31 and all that part of Tract "J" and Lots 152 through 159 of Cobey Creek - 1st Plat, a subdivision in the City of Lee's Summit, Jackson County, Missouri more particularly described as follows: Commencing at the southeast corner of said Southeast Quarter of Section 29, thence with the east line of said Southeast Quarter of Section 29, North 02 degrees 30 minutes 29 seconds East, a distance of 74.78 feet; thence North 87 degrees 54 minutes 12 seconds West, a distance of 40.00 feet to a point on the west right-of-way line of Doc Henry Road and said point also being the point of beginning; thence with the west right-of-way line of Doc Henry Road, North 02 degrees 30 minutes 29 seconds East, a distance of 95.35 feet; thence with the west right-of-way line of Doc Henry Road, North 08 degrees 13 minutes 08 seconds East, a distance of 100.51 feet; thence with the west right-of-way line of Doc Henry Road, North 02 degrees 30 minutes 29 seconds East, a distance of 99.72 feet to a point on the south right-of-way of SE Gillette Street; thence with the south right-of-way of SE Gillette Street, North 87 degrees 54 minutes 10 seconds West, a distance of 311.08 feet to the southwest corner of said Lot 152; thence with the west line of said Lots 152 through 159, North 02 degrees 18 minutes 09 seconds East, a distance of 616.95 feet to the northwest corner of said Lot 159; thence with the north line of said Lot 159, South 87 degrees 54 minutes 10 seconds East, a distance of 133.30 feet to a point on the west right-of-way line of SE Corbin Drive; thence with the west right-of-way line of SE Corbin Drive, North 02 degrees 30 minutes 29 seconds East, a distance of 196.73 feet; thence*

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*with the west right-of-way line of SE Corbin Drive, North 42 degrees 29 minutes 31 seconds West, a distance of 35.36 feet to a point on the south right-of-way line of SE David Road; thence with the south right-of-way line of SE David Road, North 87 degrees 29 minutes 31 seconds West, a distance of 383.87 feet; thence on a curve to the left, with the south right-of-way line of SE David Road, having a radius of 175.00 feet, a central angle of 32 degrees 02 minutes 01 second, an arc distance of 97.84 feet; thence with the south right-of-way line of SE David Road, South 60 degrees 28 minutes 28 seconds West, a distance of 83.53 feet to a point on the west right-of-way line of SE Cobey Creek Drive; thence with the west right-of-way line of SE Cobey Creek Drive, North 29 degrees 31 minutes 32 seconds West, a distance of 167.35 feet; thence on a curve to the left, with the west right-of-way line of SE Cobey Creek Drive, having a radius of 175.00 feet, a central angle of 29 degrees 03 minutes 44 seconds, an arc distance of 88.77 feet; thence with the west right-of-way line of SE Cobey Creek Drive, North 58 degrees 35 minutes 16 seconds West, a distance of 113.85 feet; thence on a curve to the left, with the south right-of-way line of SE Cobey Creek Drive, having a radius of 325.00 feet, a central angle of 15 degrees 25 minutes 04 seconds, an arc distance of 87.46 feet; thence North 15 degrees 59 minutes 40 seconds East, a distance of 50.00 feet to a point on the north right-of-way line of SE Cobey Creek Drive said point also being a point of curvature; thence on a curve to the right, with the north right-of-way line of SE Cobey Creek Drive, having a radius of 375.00 feet, a central angle of 07 degrees 46 minutes 30 seconds, an initial tangent bearing of South 74 degrees 00 minutes 20 seconds East, an arc distance of 50.89 feet; thence North 74 degrees 49 minutes 15 seconds East, a distance of 37.82 feet to a point of curvature; thence on a curve to the right, having a radius of 225.00 feet, a central angle of 42 degrees 27 minutes 44 seconds, an initial tangent bearing of North 37 degrees 06 minutes 40 seconds East, an arc distance of 166.75 feet; thence North 10 degrees 25 minutes 36 seconds West, a distance of 140.99 feet; thence North 02 degrees 15 minutes 12 seconds East, a distance of 10.00 feet; thence North 87 degrees 44 minutes 48 seconds West, a distance of 540.78 feet; thence South 02 degrees 15 minutes 12 seconds West, a distance of 154.40 feet; thence North 87 degrees 44 minutes 48 seconds West, a distance of 50.00 feet; thence South 47 degrees 15 minutes 12 seconds West, a distance of 35.36 feet; thence North 87 degrees 44 minutes 48 seconds West, a distance of 110.67 feet; thence South 02 degrees 32 minutes 36 seconds West, a distance of 1463.06 feet to a point on the north right-of-way line of Missouri Highway 150; thence South 87 degrees 54 minutes 12 seconds East, a distance of 1603.14 feet to the point of beginning. The above described tract contains 1,913,068 square feet or 43.92 acres.*

SECTION 2. That the following conditions of approval apply:

1. A 12-inch water main shall be extended to the north plat boundary along Sunset Ridge and Sanders Street.
2. Parking shall only be allowed only on one side of the road on Sunset Ridge north of Cobey Creek Drive, Amara Drive, Redstone Drive, and Fairbrook Drive.
3. Development shall be in accordance with the Preliminary Development Plan dated March 22, 2024 and revised April 23, 2024.
4. Development shall be in accordance Traffic Impact Analysis dated May 10, 2024.

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SECTION 3. Development shall be in accordance with the Preliminary Development Plan dated March 22, 2024 and revised April 23, 2024., and the Traffic Impact Analysis dated May 10, 2024., appended hereto as Attachments A and B, 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*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2024.

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Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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City Attorney *Brian W. Head*