

## **BILL NO. 23-188**

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AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR KENSINGTON FARMS, 2<sup>ND</sup> PLAT, 3<sup>RD</sup> PLAT AND FUTURE PHASE ON APPROXIMATELY 77 ACRES GENERALLY LOCATED SOUTH OF SW COUNTY LINE ROAD, BETWEEN SW WARD ROAD AND SW PRAIRIE LANE, 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 #PL2023-053 submitted by Inspired Homes requesting approval of a preliminary development plan in District PMIX on 77 acres of land generally located south of SW County Line Rd, between SW Ward Rd and SW Prairie Ln 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 August 24, 2023, and September 14, 2023, 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 September 26, 2023, 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 of Kensington Farms, 2<sup>nd</sup> Plat and Kensington Farms, 3<sup>rd</sup> Plat, containing approximately 76.7 acres.*

SECTION 2. That the following conditions of approval apply:

1. The existing Kensington Farms PDP shall be amended in accordance with the revised architectural building elevations to include the Kensington Farms Design Guidebook dated August 4, 2023.
2. Continued development of Kensington Farms shall be subject to the existing conditions of approval numbers 2-7 of Ordinance No. 7531 approved on October 2, 2014.

SECTION 3. Development shall be in accordance with the preliminary development plan amended to include the revised architectural building elevations dated August 4, 2023, appended hereto as Attachment A.

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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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2023.

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*