

BILL NO. 18-02

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND GENERALLY LOCATED AT THE NE CORNER OF SW LONGVIEW BOULEVARD AND SW LONGVIEW ROAD IN DISTRICT PMIX, PROPOSED KESSLER RIDGE AT NEW LONGVIEW, 2ND PLAT, LOTS 56-87, TRACTS E-G, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-144 submitted by Inspired Homes, LLC, requesting approval of a preliminary development plan in District PMIX (Planned Mixed-Use) on land located generally at the NE corner of SW Longview Boulevard and SW Longview Road 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 a public hearing for the consideration of the preliminary development plan on December 12, 2017, 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 January 4, 2018, 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 in District PMIX on the following described property:

Section 10, Township 47 North, Range 32 West, in Lee's Summit, Jackson County, Missouri, being described as follows:

ALL OF LOT 1, KESSLER RIDGE AT NEW LONGVIEW HISTORIC LOTS 1-2, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan date stamped November 1, 2017.
2. Development standards, including density, lot area, and setbacks, shall be as shown on the preliminary development plan date stamped November 1, 2017.

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3. The approved architectural styles, building materials and colors, shall be as shown on the building elevations date stamped November 1, 2017.
4. For Lots 56-77 the front setbacks shall be a minimum of 20' and a maximum of 25'. Side setbacks shall be a minimum of 5'; and 15' from a side street. Rear setbacks shall be a minimum of 25'.
5. For Lots 78-87 the front setback shall be 20' and a maximum of 25'. Side setbacks shall be a minimum of 5'; and 12' from a side street. Rear setbacks shall be a minimum of 25'.
6. Porches, cantilevers, roofs, roof overhangs and any and all building appurtenances may encroach a maximum of 8' into the front building setback.
7. The developer shall be responsible for construction of a white rail fence along SW Longview Road significantly similar to other areas along SW Longview Road throughout the exterior of the development.
8. No other fencing than the white rail fencing is allowed on Lots 73-83.

SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped November 1, 2017, appended hereto and made a part hereof.

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 the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

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 _____, 2018.

Mayor Randall L. Rhoads

ATTEST:

City Clerk *Trisha Fowler Arcuri*

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APPROVED by the Mayor of said city this ____ day of _____, 2018.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*