

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE GROVE ON APPROXIMATELY 73 ACRES ZONED PLANNED MIXED USE (PMIX) LOCATED AT THE NORTHEAST AND SOUTHEAST CORNERS OF SE M-291 HWY. AND SE BAILEY RD., ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-165 requesting a change in zoning classification from District Planned Industrial (PI) to District Planned Mixed Use (PMIX) on approximately 73 acres located at the northeast and southeast corners of SE M-291 Hwy. and SE Bailey Rd. and requesting approval of a preliminary development plan for The Grove, submitted by Westcott Investment Group, LLC, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on October 25, 2016, and rendered a report to the City Council recommending that the zoning requested and the preliminary development plan be approved; and,

WHEREAS, since the property requested for rezoning had previously been rezoned to PMIX by a city initiated rezoning and conceptual development plan, the City Council was requested to consider the preliminary development plan; and

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on November 17, 2016, 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:

TRACT I:

LOT 1, PFIZER WAY, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 22, 2010 AS DOCUMENT NO. 2010E0126141, Plat Book E135 and Page 50.

TRACT II:

ALL THAT PART OF THE NORTHWEST QUARTER, AND ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 47, RANGE 31, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER: THENCE SOUTH 87 DEGREES 53 MINUTES 51 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 11.96 FEET, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, AS NOW ESTABLISHED; THENCE SOUTH 29 DEGREES 25 MINUTES 41 SECONDS EAST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 223.09 FEET, TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE SOUTH 29 DEGREES 25 MINUTES 41 SECONDS EAST, A DISTANCE OF 1323.59 FEET, TO A POINT IN THE SOUTH LINE OF THE

NORTHWEST QUARTER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 32 MINUTES 55 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 832.35 FEET, TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 2 DEGREES 36 MINUTES 20 SECONDS EAST, ALONG THE EAST LINE SAID NORTHWEST QUARTER AND ALONG THE EAST LINE OF MADDOX ACRES, A SUBDIVISION, A DISTANCE OF 358.00 FEET, TO THE NORTHEAST CORNER OF LOT 12 OF SAID SUBDIVISION; THENCE NORTH 87 DEGREES 49 MINUTES 43 SECONDS WEST, ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 1507.48 FEET, TO A POINT ON THE EAST RIGHT OF WAY LINE OF MISSOURI STATE HIGHWAY NO. 291, AS NOW ESTABLISHED; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2416.83 FEET, A CHORD BEARING OF NORTH 26 DEGREES 20 MINUTES 38 SECONDS WEST, A CENTRAL ANGLE OF 1 DEGREES 18 MINUTES 57 SECONDS, AN ARC LENGTH OF 55.50 FEET; THENCE NORTH 27 DEGREES 00 MINUTES 06 SECONDS WEST, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 256.79 FEET; THENCE NORTH 26 DEGREES 49 MINUTES 41 SECONDS WEST, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 241.77 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1784.86 FEET, A CHORD BEARING OF NORTH 18 DEGREES 00 MINUTES 47 SECONDS WEST, A CENTRAL ANGLE OF 12 DEGREES 35 MINUTES 16 SECONDS, AN ARC LENGTH OF 392.13 FEET; THENCE NORTH 32 DEGREES 04 MINUTES 12 SECONDS EAST, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 61.73 FEET; THENCE SOUTH 87 DEGREES 49 MINUTES 44 SECONDS EAST, A DISTANCE OF 1158.47 FEET; THENCE SOUTH 78 DEGREES 33 MINUTES 51 SECONDS EAST, A DISTANCE OF 869.58 FEET, TO THE POINT OF BEGINNING, subject to that part, if any, in streets, roadways, highways or other public right-of-ways.

EXCEPT reservation of all minerals and all mineral rights in favor of Missouri Pacific Railroad Company, a Missouri corporation, as set forth in instrument(s) recorded under Document number 197110083905 in Book I252 at Page 675, and all rights and easements appertaining thereto in favor of the holder of said interest and any party claiming by, through or under said holder. (Affects Tracts I and II)

SECTION 2. That development shall be in accordance with the preliminary development plan date stamped October 4, 2016, appended hereto and made a part hereof.

SECTION 3. That the following conditions of approval apply:

1. A modification shall be granted to the minimum caliper size requirement of 3 inches, to allow for 2 inches for the ornamental trees.
2. Parking lot lighting shall not exceed 28' maximum height, measured to the top of the fixture from grade.
3. Development shall be as shown on the preliminary development plan and The Grove's Design Standards, date stamped October 4, 2016, except as otherwise noted.
4. The Developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, sanitary sewer improvements recommended in the Sanitary Sewer Memorandum dated October 27, 2016, and the road improvements recommended in the Transportation Impact Analysis dated October 18, 2016. No building permits shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Recorders' Office.

SECTION 4. In granting modifications listed herein, the Governing Body concludes that the development will provide sustainable value to the City, incorporates sound planning principles and

design elements that are compatible with surrounding properties and consistent through the proposed project, effectively utilize the land upon which the development is proposed, and further the goals, spirit and intent of the Unified Development Ordinance.

SECTION 5. 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 6. 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 7. 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 17th day of November, 2016.

Mayor Randall L. Rhoads

ATTEST:



City Clerk Denise R. Chisum

APPROVED by the Mayor of said city this 21st day of November, 2016.

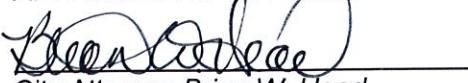
Mayor Randall L. Rhoads

ATTEST:



City Clerk Denise R. Chisum

APPROVED AS TO FORM:



City Attorney Brian W. Head

EFFECTIVE DATE OF ORDINANCE NO. 8021

This ordinance was presented to Mayor Randall L. Rhoads on November 18, 2016. As this ordinance remains unsigned after ten days, the ordinance is deemed to be approved, as per Section 3-13.(g) and Section 4.4.(c) of the Charter of the City of Lee's Summit, Missouri, First Amended, November, 2007.

SEC. 3-13

- (g) **Effective Date.** Every adopted ordinance and resolution shall become effective immediately upon passage, adoption and approval by the Mayor (including deemed approval by the Mayor failing to either sign or disapprove the same within ten days of receipt, as provided in Section 4.4(c), Veto), or any later date specified therein.
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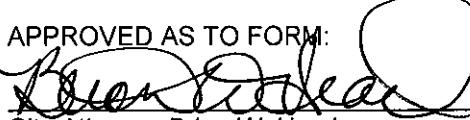
STATE OF MISSOURI}
COUNTY OF JACKSON} (ss.

This is to certify that the foregoing Ordinance No. 8021: AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE GROVE ON APPROXIMATELY 73 ACRES ZONED PLANNED MIXED USE (PMIX) LOCATED AT THE NORTHEAST AND SOUTHEAST CORNERS OF SE M-291 HWY. AND SE BAILEY RD., ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI, is a full, true and complete copy as same is recorded in the Office of the City Clerk of the City of Lee's Summit, Missouri.

IN WITNESS WHEREOF, I hereunto set my hand, and affix the seal of said City of Lee's Summit, Missouri, this 30th day of November, 2016.

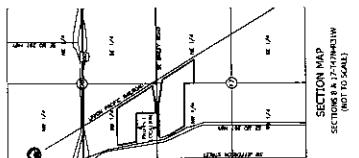
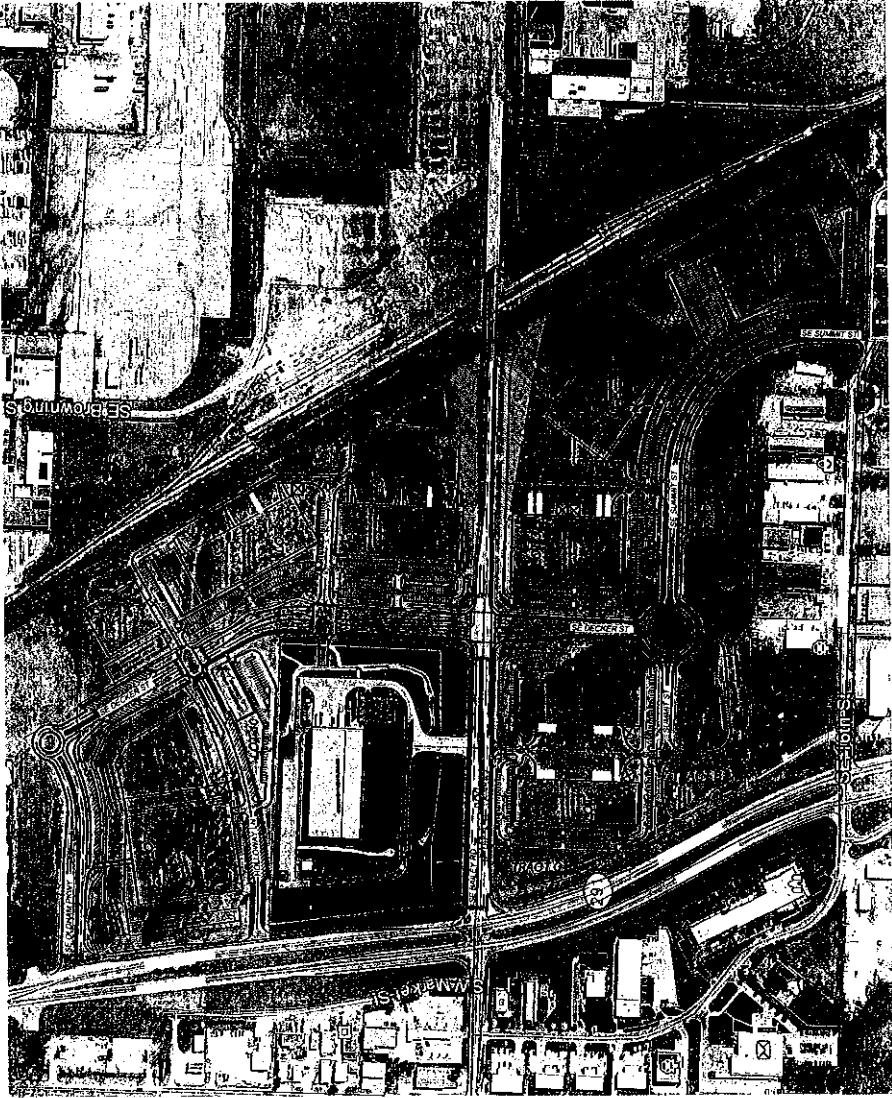

City Clerk Denise R. Chisum

APPROVED AS TO FORM:


City Attorney Brian W. Head

**THE GROVE
PMIX PRELIMINARY DEVELOPMENT PLAN
LEE'S SUMMIT, MO**

U.S. HIGHWAY 50 & MISSOURI HIGHWAY 291



LEGAL DESCRIPTION

SHEET INDEX

C1.1 SITE PLAN (1)
C1.2 SITE PLAN (2)
C1.3 SITE PLAN (3)
C1.4 PARKING GARAGE
C1.5 PHASING PLAN

KANSAS CITY, MISSOURI 64106
SUITE 300
2300 MAIN STREET
TWO PERSHING SQUARE
WESTCOTT INVESTMENT GROUP I

**THE CROWE
50 & MISSOURI 291
S SUMMIT, MISSOURI
ARY DEVELOPMENT PLAT**

PRELIMINARY

3

SITE PLAN (3)

THE GROVE
U.S. 50 & MISSOURI 291

PRELIMINARY DEVELOPMENT PLAN

Prepared for:

Two Scott Associates Group LLC

200 Main Street

Kansas City, Missouri 64106

(816) 363-1990 / FAX (816) 363-6333

Toll Free: 1-800-363-6333

101 Corporate Blvd., Suite 200

(816) 363-1990 / FAX (816) 363-6333

Toll Free: 1-800-363-6333

101 Corporate Blvd., Suite 200

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Toll Free: 1-800-363-6333

KEY NOTES

- 01 CROSSWALK - STAMPED CONCRETE
- 02 ASPHALT ROADWAY
- 03 ASPHALT PARKING LOT
- 04 ASPHALT ON STREET PARKING
- 05 ASPHALT SLIP LANE
- 06 ASPHALT SLIP LANE PARKING
- 07 10' TRAIL
- 08 SIDEWALK
- 09 PLANTED RAISED MEDIAN
- 10 SITE FEATURES (ARTISTIC)
- 11 PROPOSED GREEN SPACE
- 12 PROPOSED RELOCATED PARK ACCESS FOR ZONE C
- 13 ASPECT OF AREA TO BE USED TO DETERMINE CITY PROCESS
- 14 PROPOSED NEW CONCRETE MEDIAN
- 15 CONCRETE ENTRY FEATURE
- 16 WATER FEATURE
- 17 HEAVY DUTY PAVEMENT - TRUCK MANEUVERING AREA
- 18 CONCRETE ROADWAY
- 19 EBBAGE
- 20 SEE SHEET C5 FOR TRAFFIC SIGNAL PHASE
- 21 SEE TRAFFIC STUDY FOR OFF SITE IMPROVEMENTS
- 22 ADDITIONAL BREAK IN ACCESS REQUIRED
- 23 SEE SHEET C5 FOR OFF SITE IMPROVEMENTS
- 24 ELEVATING 16TH STREET TO CITY STANDARDS
- 25 TRANSITION SEE SUMMIT ST TO EXISTING SE 16TH STREET
- 26 PASSENGER LOADING AREA
- 27 EBB SIDEWALK
- 28 TRASH ENCLOSURE

GENERAL NOTES:

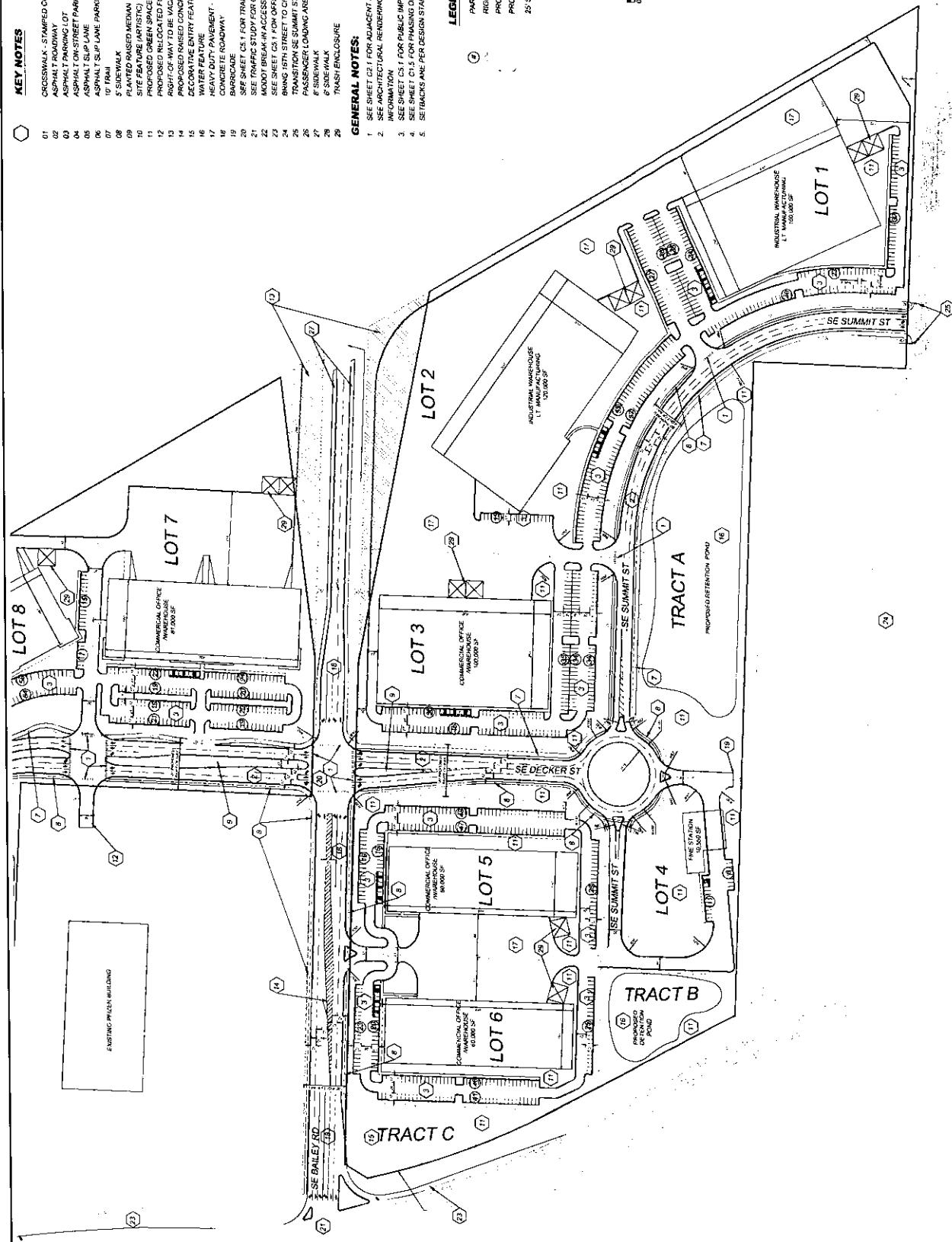
- 1 SEE SHEET C1 FOR ADJACENT PROPERTY USE INFORMATION
- 2 SEE ARCHITECTURAL RENDERINGS FOR ADDITIONAL BUILDING INFORMATION
- 3 SEE SHEET C5 FOR PUBLIC IMPROVEMENTS AND PHASING
- 4 SEE SHEET C15 FOR PHASING OF DEVELOPMENT.
- 5 SETBACKS ARE PER DESIGN STANDARDS.

LEGEND

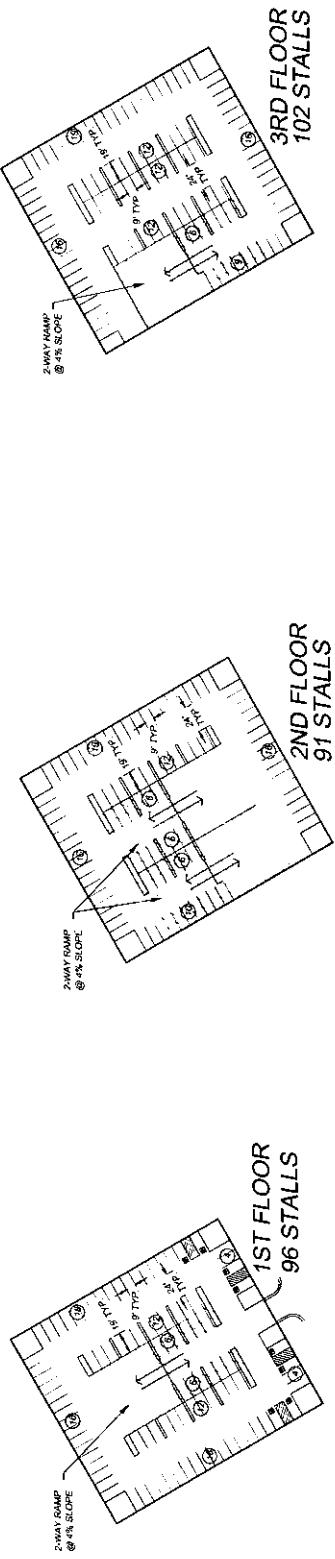
- PARKING STALL COUNT
PROPERTY LINE
PROPOSED LOT LINE
25' SITE TRIANGLE



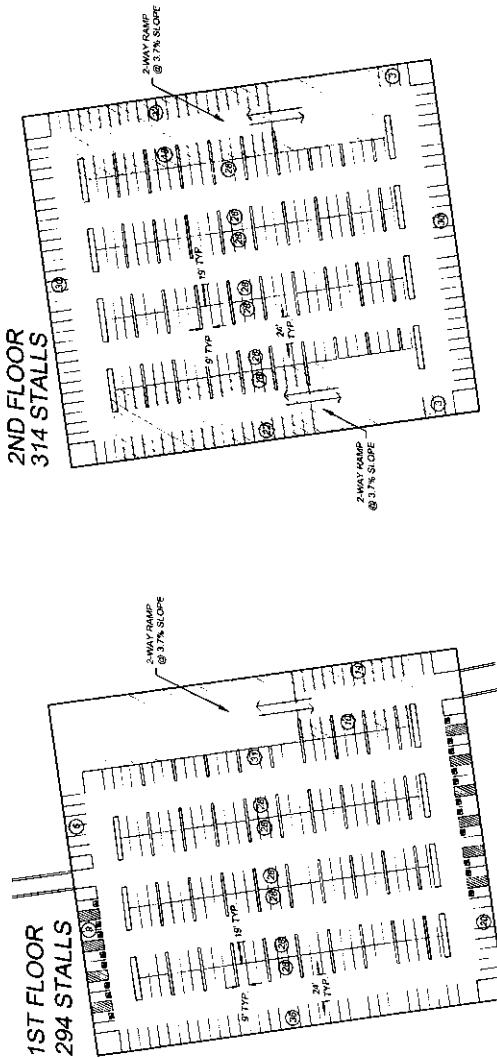
SCALE: 1" = 100'
100' 150' 200'



LOT 9 STRUCTURED PARKING



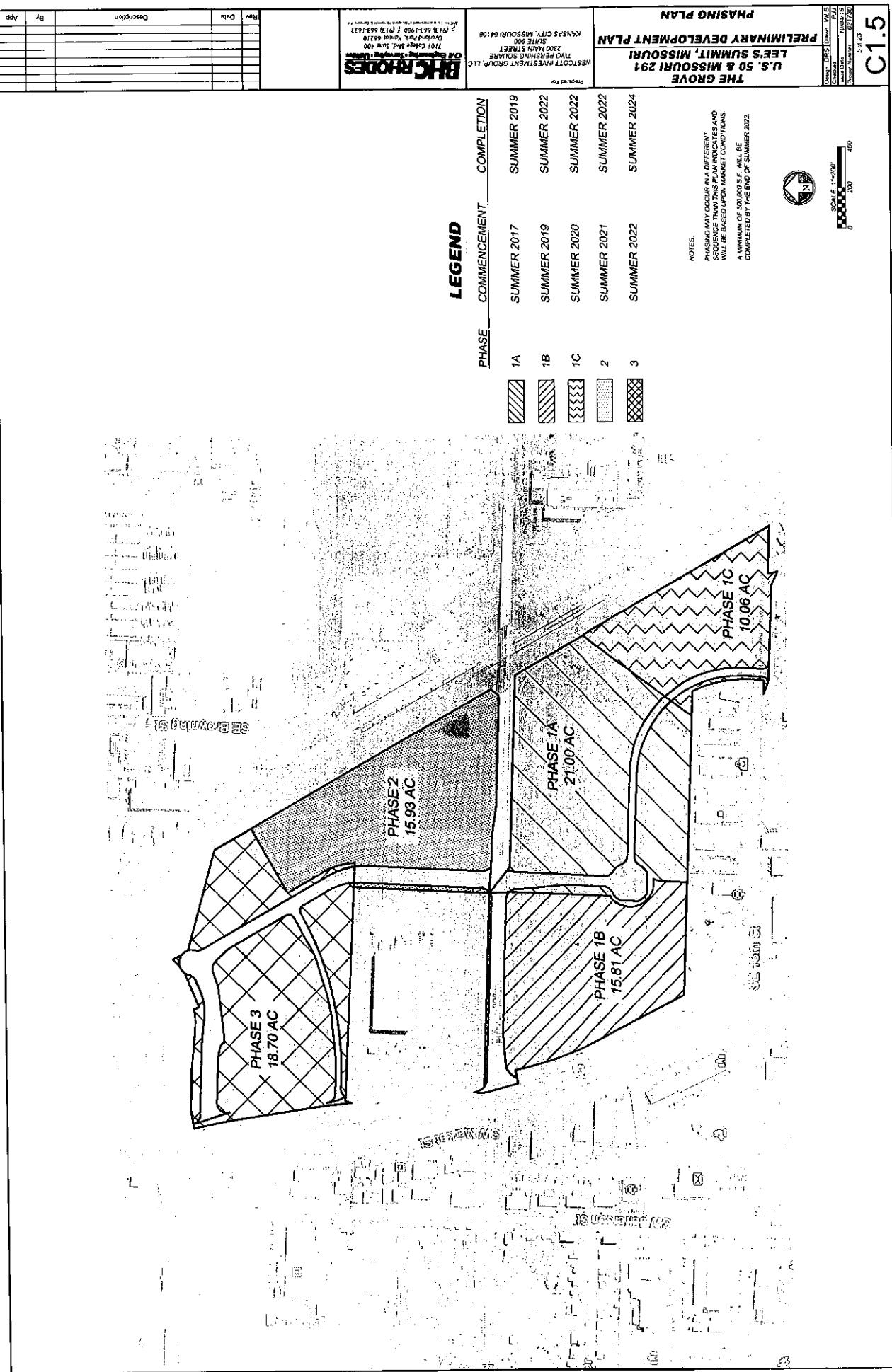
LOT 11 STRUCTURED PARKING

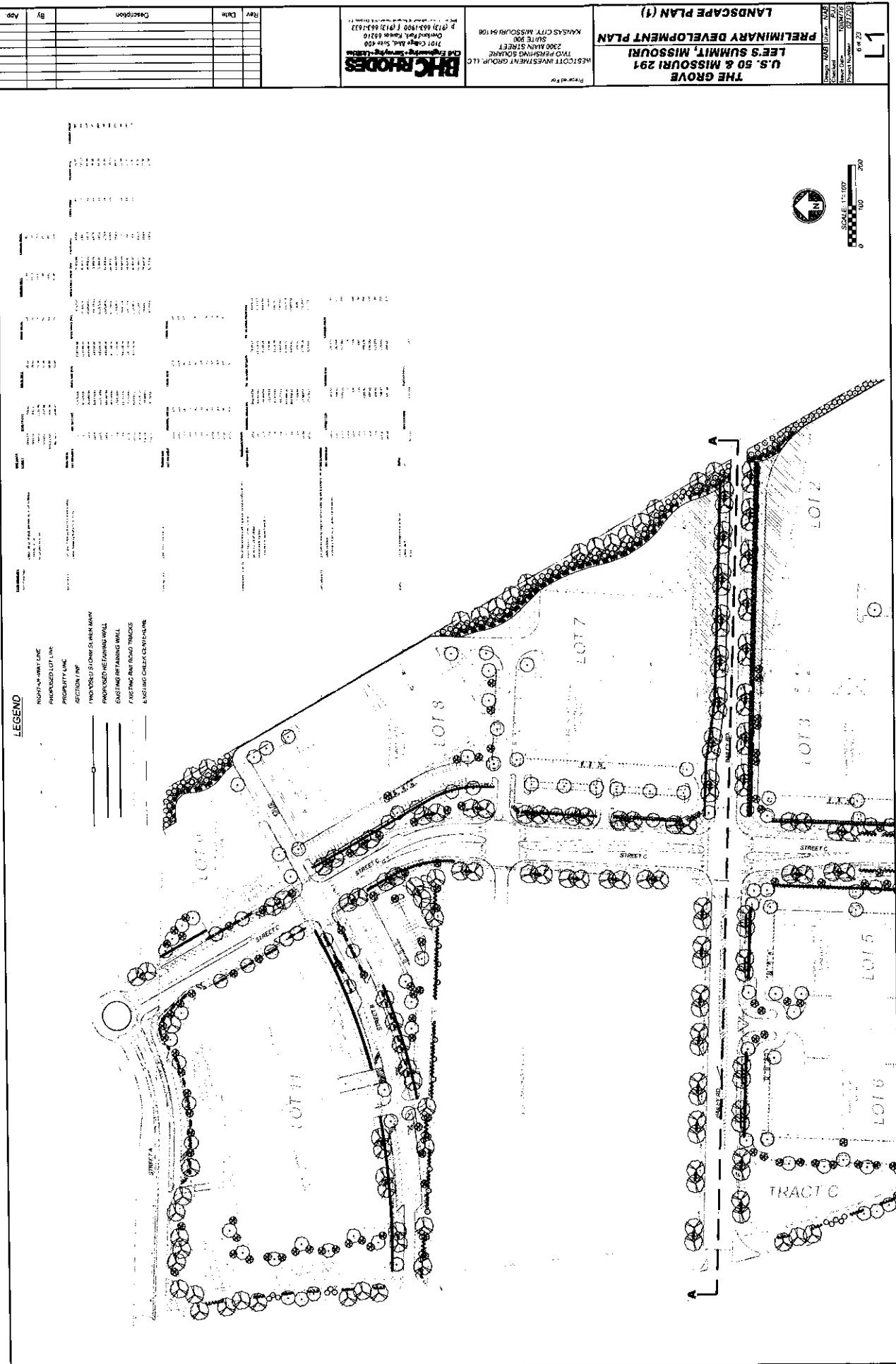


450
MISSOURI CITY, MISSOURI 64108
SUITE 800
2300 MAIN STREET
WORLD INVESTIGATIVE GROUP, LTD.
P.O. BOX 1000

 THE GROVE <u>U.S. 56 & MISSOURI 291</u> <u>LEES SUMMIT, MISSOURI</u>	 PRELIMINARY DEVELOPMENT PLAN PARKING GARAGE PLAN	 Date Issued: 10/25/15 Date Due: 10/25/15 Name: John Doe Address: 123 Main Street City: Lees Summit County: Clayton Zip Code: 64063 E-mail: jdoe@clayton.org Phone: (314) 555-1234 Fax: (314) 555-1235
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C1.4





SLP1

SITE LIGHTING PLAN (1)

THE GROVE U.S. 50 & MISSOURI 291 LEES SUMMIT, MISSOURI 64063

PRELIMINARY DEVELOPMENT PLAN

WESTCOTT PLANNING GROUP LLC
200 MAIN STREET
SUITE 200
KANSAS CITY, MISSOURI 64106
TEL: (813) 664-1000 FAX: (813) 663-1633

RECEIVED BY: [Signature] DATE: [Date] APPROVED BY: [Signature]

LEGEND:

- KIN ALTITUDE:** [Symbol: vertical line with dots]
- ARCHITECTURAL AREA LIGHTING "LARGE":** [Symbol: square with diagonal line]
- LUMEC SOLARITY:** [Symbol: circle with crosshair]
- RIGHT OF WAY:** [Symbol: dashed line]
- PROPERTY LINE:** [Symbol: solid line]
- UTILITY EASEMENT:** [Symbol: dashed line]

MATCH LINE

SLP2

SITE LIGHTING PLAN (2)

THE GROVE U.S. 30 & MISSOURI 291

PRELIMINARY DEVELOPMENT PLAN

LEES SUMMIT, MISSOURI

Westcott Investments Group LLC
200 Main Street
Lees Summit, MO 64081
Phone: (816) 331-1900
Fax: (816) 331-1901
E-mail: info@westcottgroup.com

MISSOURI MISSOURI 64108
P.O. Box 10000
Address: 10000 Hwy 100
Phone: (800) 328-1900
Fax: (800) 328-1901
E-mail: missouri@missouri.org

BHC RICHARDS

Principals
Design
By
App

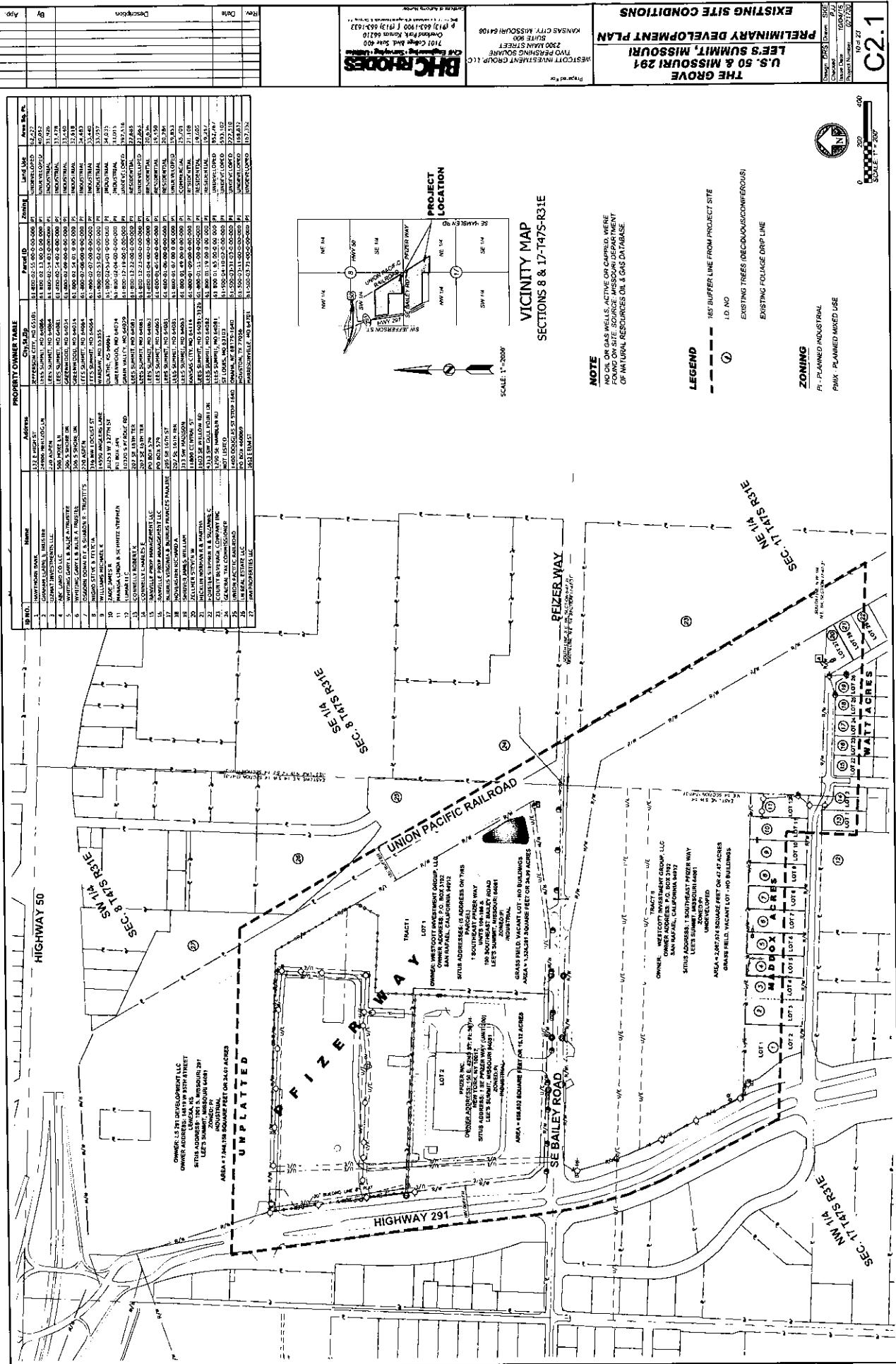
LEGEND

- MATCH LINE
- NUMBERED AREA
- ARCHITECTURAL AREA LIGHTING (TARGENT)
- LAMP POST/CITY

Match Line
Numbered Area
Architectural Area Lighting (Targent)
Lamp Post/City

Scale: 1/8" = 100'

North arrow: N



SANITARY SEWER IMPACT STATEMENT

SANITARY SEWER STUDY HAS BEEN PERFORMED BY BNC RHOSES, FOR THE GROVE. THE SANITARY SEWER STUDY IS INCORPORATED AS PART OF THIS PRELIMINARY PLAN BY REFERENCE. SEE REPORT FOR SPECIFIC SANITARY SEWER IMPACTS.

LEGEND

EXISTING & WATER LINE

EXISTING 6" WATER MAIN

EXISTING 8" SANITARY SEWER

EXISTING 12" SANITARY SEWER

PROPOSED 12" WATER MAIN

PROPOSED UNDERGROUND ELECTRIC LINE

PROPOSED GAS LINE

PROPOSED 12" SANITARY SEWER

PROPOSED SANITARY EASEMENT

PROPOSED WATER EASEMENT

RIGHT-OF-WAY LINE

PROPERTY LINE

PROPOSED LOT LINE

UTILITY KEY NOTES

- 1 PROPOSED 12" SANITARY SEWER
- 2 PROPOSED PUBLIC 12" WATER MAIN
- 3 PROPOSED GAS LINE
- 4 PROPOSED UNDERGROUND ELECTRIC/PHONE
- 5 PROPOSED PRIVATE FIRE HYDRANT ASSEMBLY LOCATION
- 6 PROPOSED PRIVATE FIRE HYDRANT ASSEMBLY LOCATION
- 7 PROPOSED PRIVATE FIRE HYDRANT ASSEMBLY LOCATION
- 8 SAIL WH.

UTILITY KEY NOTES

The site plan diagram illustrates the following utility and assembly locations:

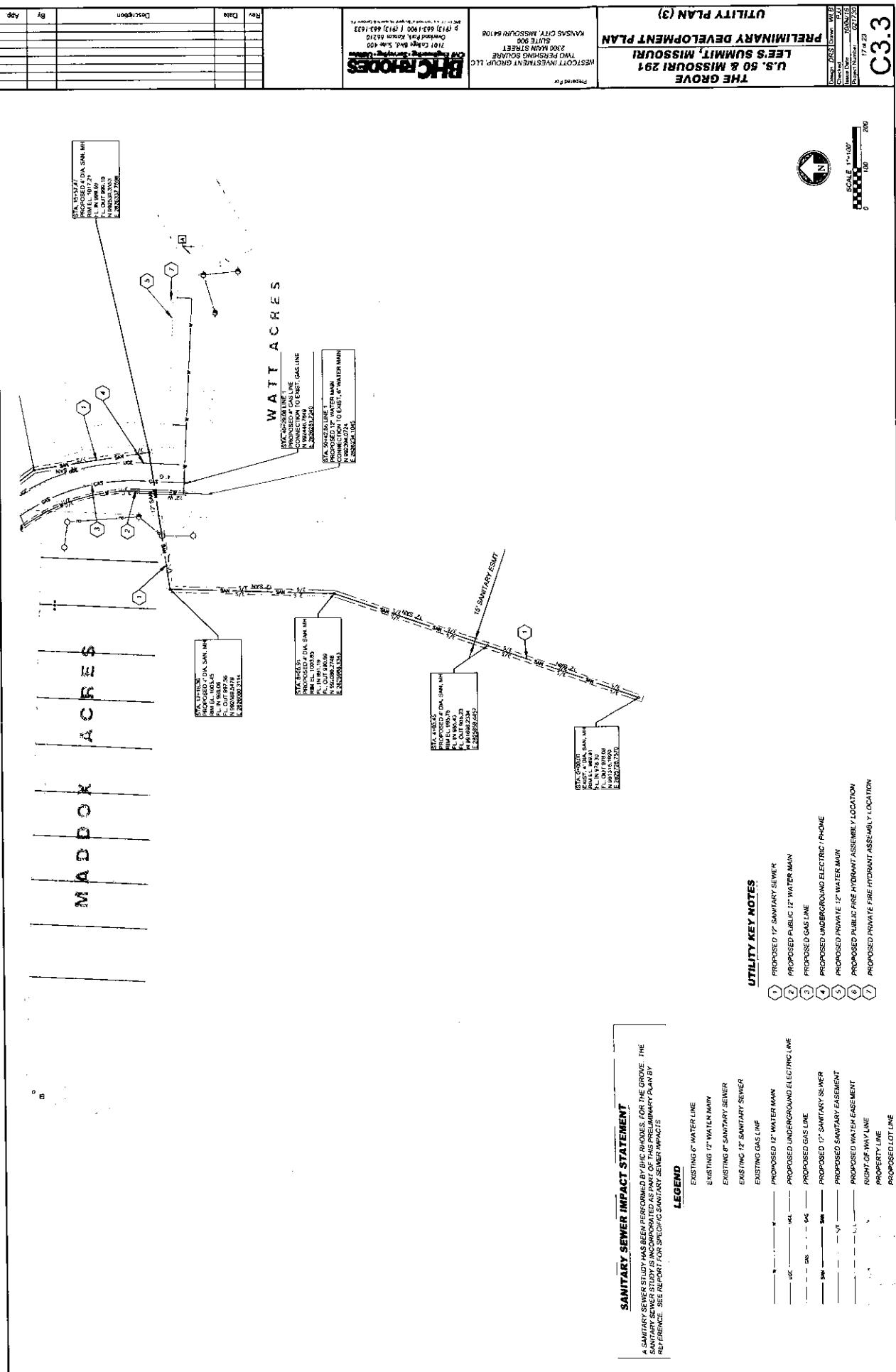
- PROPOSED 12" SANITARY SEWER
- PROPOSED PUBLIC 12" WATER MAIN
- PROPOSED GAS LINE
- PROPOSED UNDERGROUND ELECTRIC / PHONE
- PROPOSED PRIVATE 12" WATER MAIN
- PROPOSED PUBLIC FIRE HYDRANT ASSEMBLY LOCATION
- PROPOSED PRIVATE FIRE HYDRANT ASSEMBLY LOCATION

Assembly locations are marked with circles containing numbers 1 through 7.

MINARY DEVELOPMENT PLAN
EE'S SUMMIT, MISSOURI

U.S. 50
I

C3.1
15 of 23



U.S. 50 & MISSOURI 291
THE GROVE
LEES SUMMIT, MISSOURI 291

MANAGEMENT PLAN (2)

GRADING PLAN (2)

STORMWATER

PRELIMINARY DEVELOPMENT PLAN

WATER SYSTEMS

TWO PEAKS GROUP LLC

KANSAS CITY, MISSOURI 64133

101 College Street, Suite 600

(813) 661-1000 / (813) 661-1633

www.twopeaksgroup.com

info@twopeaksgroup.com

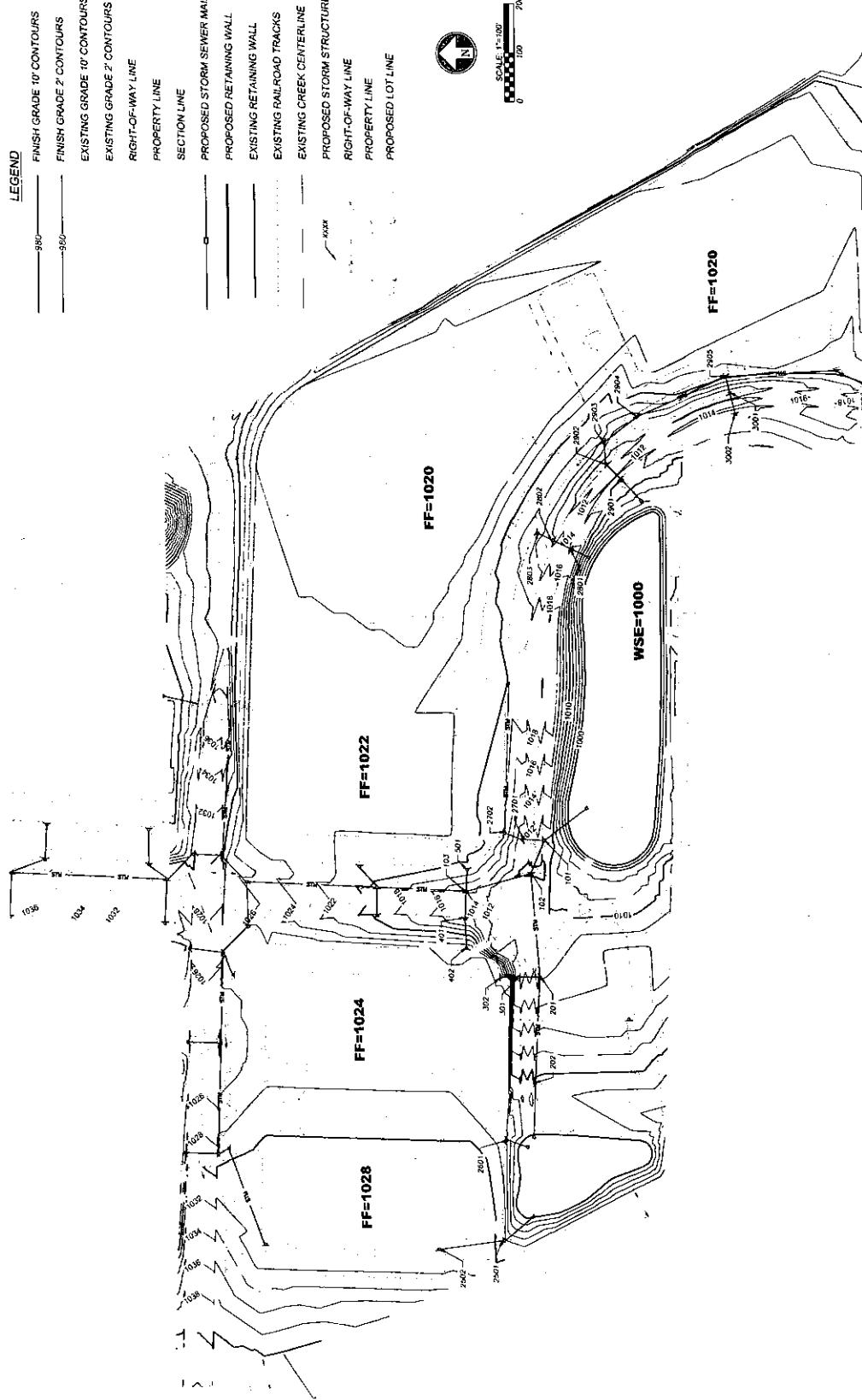
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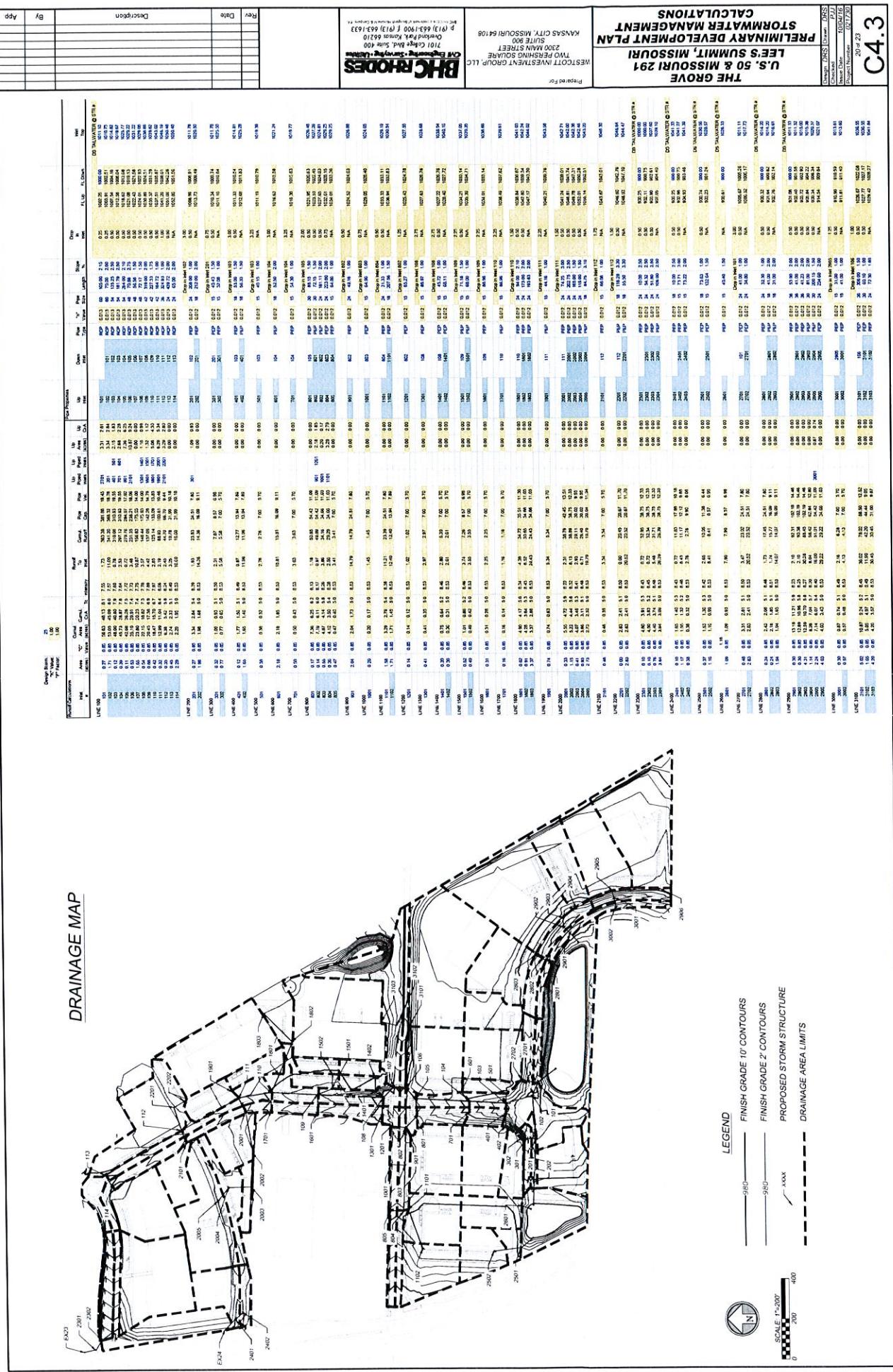
Date: 10/23/2014

Rev: 0

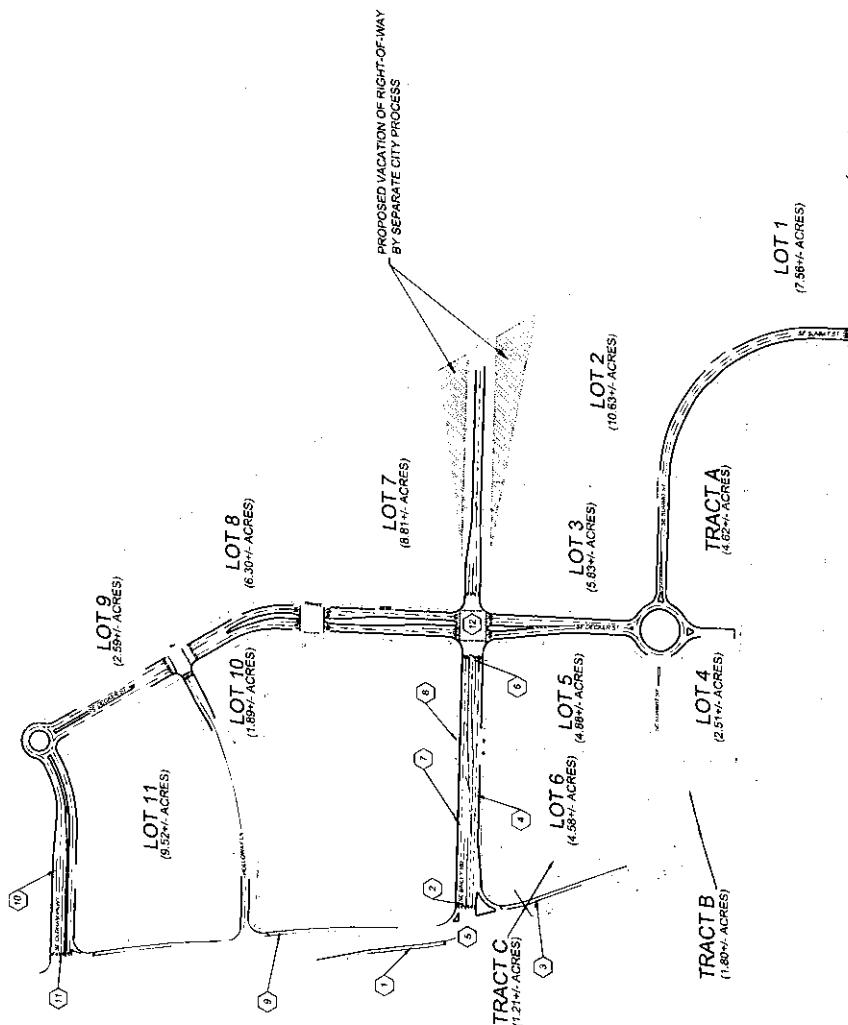
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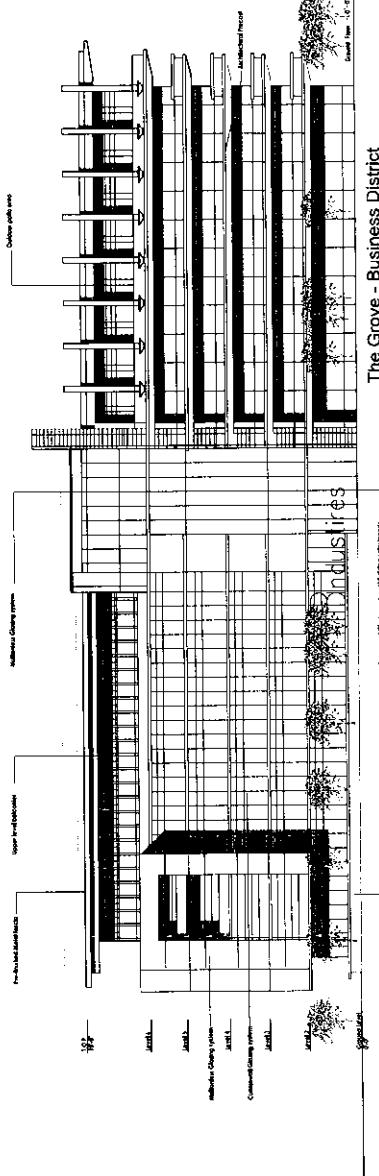
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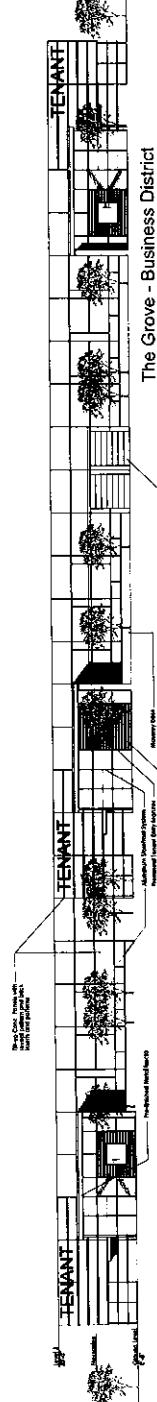


C4.3

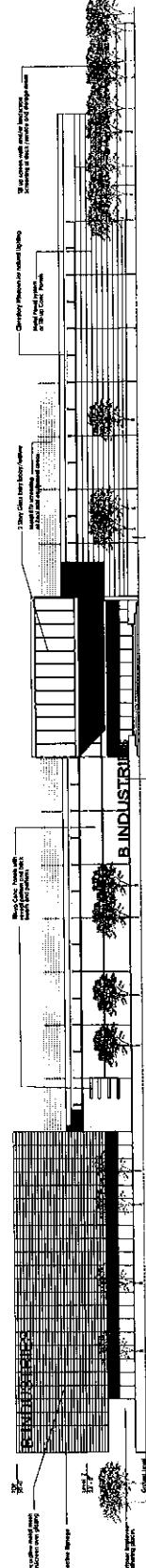




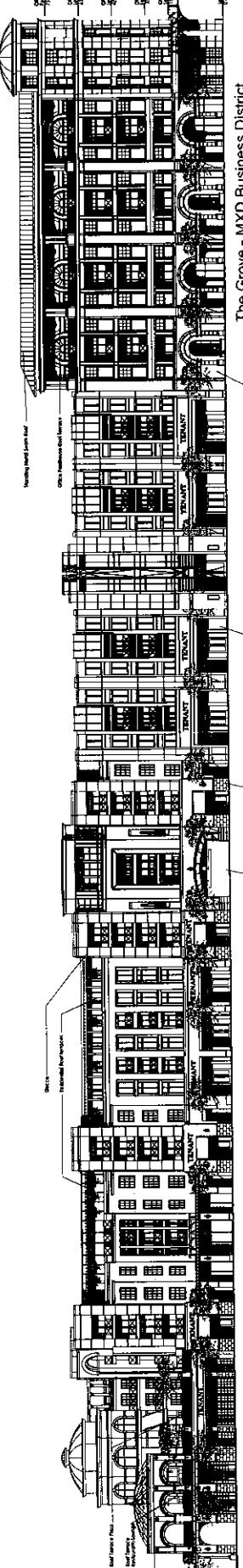
The Grove - Business District
Typical Office Headquarters Street Elevation
Scale: 1' = 20'



The Grove - Business District
Typical Flex-Warehouse Office Street Elevation
Scale: 1' = 20'



The Grove - Business District
Typical Light Manufacturer Street Elevation
Scale: 1' = 20'



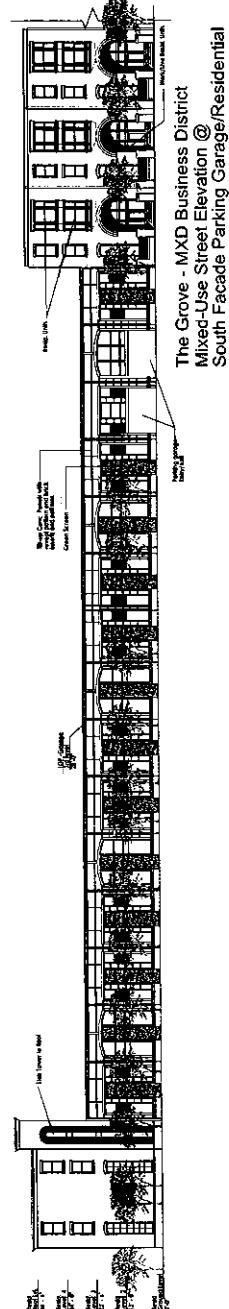
The Grove - MXD Business District
Typical Mixed-Use Street Elevation
Scale: 1' = 20'



THE GROVE

LES SUMM, MO
US 50 HWY A 281 SOUTH

Project Number:
Drawing Number:
Revised Date:
Drawing Title:
Scale:



10955 LOWER ALAMEDA, SUITE 200 • OVERLAND PARK KS 66210
PH: 913.649.8181 • FAX: 913.649.1215 • WWW.KLOOVERARCHITECTS.COM

A201

#PL2016-165 -- REZONING & PRELIM. DEVEL. PLAN

The Grove

Westcott Investment Group, LLC, applicant

