

## **BILL NO. 20-147**

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AN ORDINANCE APPROVING A REZONING FROM DISTRICT AG TO DISTRICT RLL FOR APPROXIMATELY 3.51 ACRES LOCATED AT 296 NW ANDERSON DR, PROPOSED BURKE ACRES IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-165 submitted by Kevin T. and Denise A. Burke, requesting approval of a rezoning from District AG (Agricultural) to RLL (Residential Large Lot) on land located at 296 NW Anderson Dr, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning 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 rezoning on July 23, 2020 and rendered a report to the City Council recommending that the rezoning be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on August 18, 2020, and rendered a decision to approve the rezoning 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 rezoning and preliminary development plan is hereby approved on the following described property:

A part of the Southwest quarter of Section 31, Township 49 North, Range 32 West, located in Lee's Summit, Jackson County, Missouri, further described as follows:

Commencing at the Northeast Corner of the Southwest Quarter of Section 31, Township 49N, Range 32W; thence North 87 degrees 22 minutes 50 seconds West a distance of 1298.16 feet to the Northeast corner of the the Northeast quarter of the Southwest quarter of said Section; thence South 1 degree 56 minutes 01 seconds West a distance of 837.58 feet along the East line of the Northeast quarter quarter of the Southwest quarter of said section to the Point of Beginning; thence South 1 degrees 56 minutes 01 seconds West a distance of 482.23 feet to the North Right of Way of Anderson Road; thence North 89 degrees 10 minutes 03 seconds West along said Right of way a distance of 315.23 feet; thence North 1 degrees 54 minutes 41 seconds East a distance of 488.46 feet; thence South 88 degrees 02 minutes 07 seconds East a distance of 315.36 feet to the Point of Beginning. Containing 3.51 acres.

SECTION 2. 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,

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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 3. 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 4. 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 \_\_\_\_\_, 2020.

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

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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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*