

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM AG TO R-1 ON APPROXIMATELY 68 ACRES LOCATED AT THE EAST TERMINUS OF NE BOWLIN ROAD FOR THE PROPOSED MONTICELLO RESIDENTIAL SUBDIVISION, GENERALLY LOCATED ON THE SOUTH SIDE OF NE BOWLIN ROAD IMMEDIATELY NORTH OF THE LAKE RIDGE MEADOWS AND DALTON'S RIDGE RESIDENTIAL SUBDIVISIONS AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR MONTICELLO SUBDIVISION, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #2015-065 requesting a change in zoning classification from District AG (Agricultural) to District R-1 (Single Family Residential District) on approximately 68 acres located at the east terminus of NE Bowlin Road for the proposed Monticello residential subdivision, generally located on the south side of NE Bowlin Road immediately north of the Lake Ridge Meadows and Dalton's Ridge residential subdivisions and Application #2015-065, requesting approval of a preliminary development plan for Monticello subdivision, submitted by Engineering Solutions, 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 June 23, 2015, and rendered a report to the City Council recommending that the zoning requested and 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 July 23, 2015, and rendered a decision to rezone said property and 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 the following described property is hereby rezoned from District AG to District R-1:

*A tract of land located in part of Section 4 and Section 5, Township 48 North, Range 31 West, more particularly described as follows: Beginning at the Southwest corner of Section 4, thence North 88° 14' 06" West, a distance of 200.01 feet; thence North 02° 18' 05" East, a distance of 659.95 feet; thence South 87° 58' 48" East, a distance of 1171.74 feet; thence South 02° 12' 15" West, a distance of 20.04 feet; thence South 87° 58' 52" East, a distance of 1073.05 feet; thence South 01° 47' 06" West, a distance of 1298.93 feet; thence North 88° 01' 51" West, a distance of 2057.01 feet, returning to the Point of Beginning. Containing 67.71 acres more or less.*

SECTION 2. That development shall be in accordance with the preliminary development plan dated June 2, 2015 appended hereto and made a part hereof.

SECTION 3. That the following conditions of approval apply:

1. A modification shall be granted to the 700-foot maximum block length, to allow an approximate block length of 863-feet for NE Meadow Lands Road, 772-feet for NE Gateway Drive, and 813 feet for NE Jamestown Drive.
2. Development shall be in accordance with the preliminary development plan, date stamped June 2, 2015.
3. The developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the required sanitary sewer and road improvements. No building permit 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 Records' Office. All public improvements shall be substantially complete prior to issuance of any building permit.
4. The unimproved section of NE Bowlin Road (conceptually to be renamed NE Jamestown Drive) shall be improved or reconstructed to meet or exceed the interim road standards. Interim road standards require at least two 12-foot paved travel lanes and 6-foot shoulders. Shoulders may be turf or the City may participate to provide paved shoulders in lieu thereof. Shoulders will not be required if the residential collector section with curb and gutter is constructed.
5. All sight distance conflicts at the intersection of NE Bowlin Road and the "planned" extension of NE Jamestown Drive (existing NE Bowlin Road/County Park access) shall be mitigated. Obstructions should be cleared and adequate sight distance provided for the speed limits of both streets.
6. Conditions 4 and 5 shall be satisfied prior to the issuance of building permits in any portion of the proposed subdivision with access to NE Bowlin Road.
7. A street name change application renaming the north/south segment of NE Bowlin Road to NE Jamestown Drive shall be submitted and approved prior to final plat approval.
8. A vacation of right-of-way application for the easternmost portion of NE Bowlin Road, a distance of approximately 1,200 feet, shall be submitted and approved prior to final plat approval.
9. At the time NE Gateway Drive and NE Jamestown Drive are constructed, both roads shall connect to the existing roads within Lake Ridge Meadows and Dalton's Ridge subdivisions. This will require street construction outside the plat boundary.
10. That builders be required to put in a minimum of three Evergreen trees, two ornamental trees and three shrubs, one each lot adjacent to the Lake Ridge Meadows and Dalton's Ridge subdivisions, acknowledging that the goal is to provide a visual buffer for the property to the north. No final certificate of occupancy shall be issued for an individually affected lot until such time as the required number of trees and shrubs are planted on said lot. The required landscaping shall be planted within 20 feet of the rear property line. The required landscaping shall meet the minimum size requirements of the UDO at

the time of planting (i.e. 8' for Evergreen trees, 3" caliper for ornamental trees and 2-gallon container for shrubs.

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 3<sup>rd</sup> day of September, 2015.

ATTEST:

  
City Clerk Denise R. Chisum

  
Mayor Randall L. Rhoads


APPROVED by the Mayor of said city this 8<sup>th</sup> day of September, 2015.

  
Mayor Randall L. Rhoads

ATTEST:

  
City Clerk Denise R. Chisum

APPROVED AS TO FORM:

  
City Attorney Brian W. Head



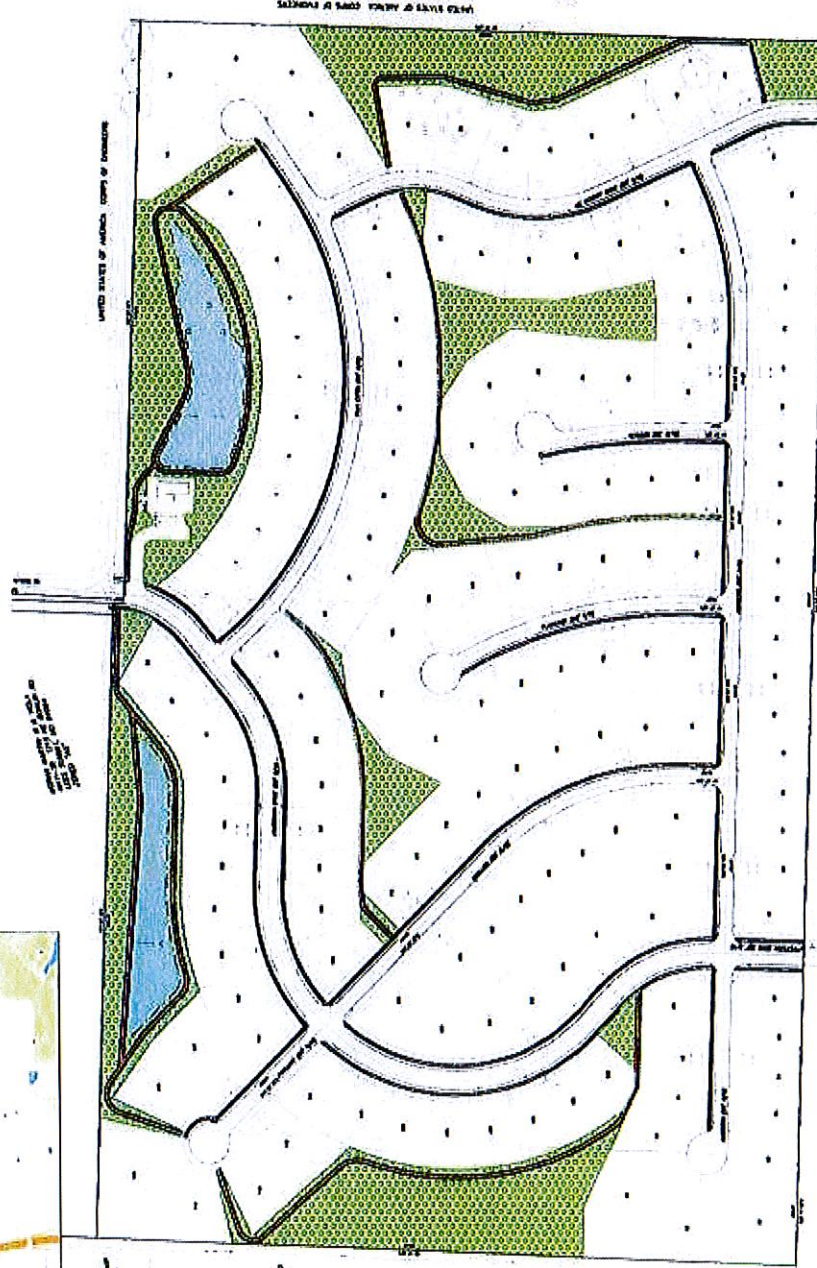
LEGEND

- These proposed symbols will be used in this drawing.
- As Set LUT, Bear & Co. (12-200303019-0)
- © Future Survey Monument (see notes)
- ① Elevation Dependent Legation
- Existing Water Line - Chain Link
  - Existing Water Line
  - Existing Boundary Stone Mark
  - Existing Street Stone
  - Existing Street Line
  - Existing Underground Electric



**Rezoning Exhibit**  
**Monticello**  
**Lots 1 - 160 & Tracts A-F**  
**Section 4 & 5, Township 48 North, Range 31 West**  
**Lee's Summit, Jackson County, Missouri**

**Legal Description:**  
A certain lot and parcel of land in Jackson County, Missouri, being the same as described in the plat of the same recorded in the public records of Jackson County, Missouri, to-wit: Section 4 & 5, Township 48 North, Range 31 West, Lee's Summit, Jackson County, Missouri.



**Site Data Table 1**

Item	Description
Lot Area	2.00 Acres
Lot Size	2.00 Acres
Lot Shape	2.00 Acres
Lot Area	2.00 Acres
Lot Size	2.00 Acres
Lot Shape	2.00 Acres

RECEIVED

MAY 04 2015

Planning & Codes Admin

DATE	
REVISIONS	

Rezoning Exhibit  
Section 4 & 5, Township 48 North, Range 31 West  
Lee's Summit, Jackson County, Missouri

DATE	05/04/2015
BY	PLANNING & CODES ADMIN
FOR	PLANNING & CODES ADMIN
REVISIONS	

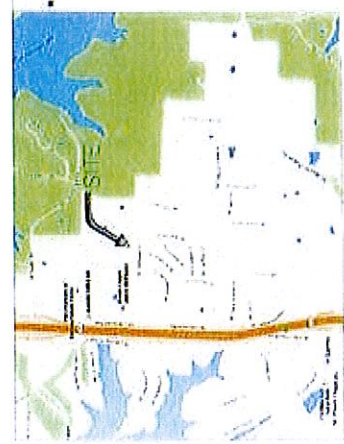




# **Preliminary Plat** **Monticello** Lots 1 - 160 & Tracts A-F Section 4 & 5, Township 48 North, Range 31 West Lee's Summit, Jackson County, Missouri

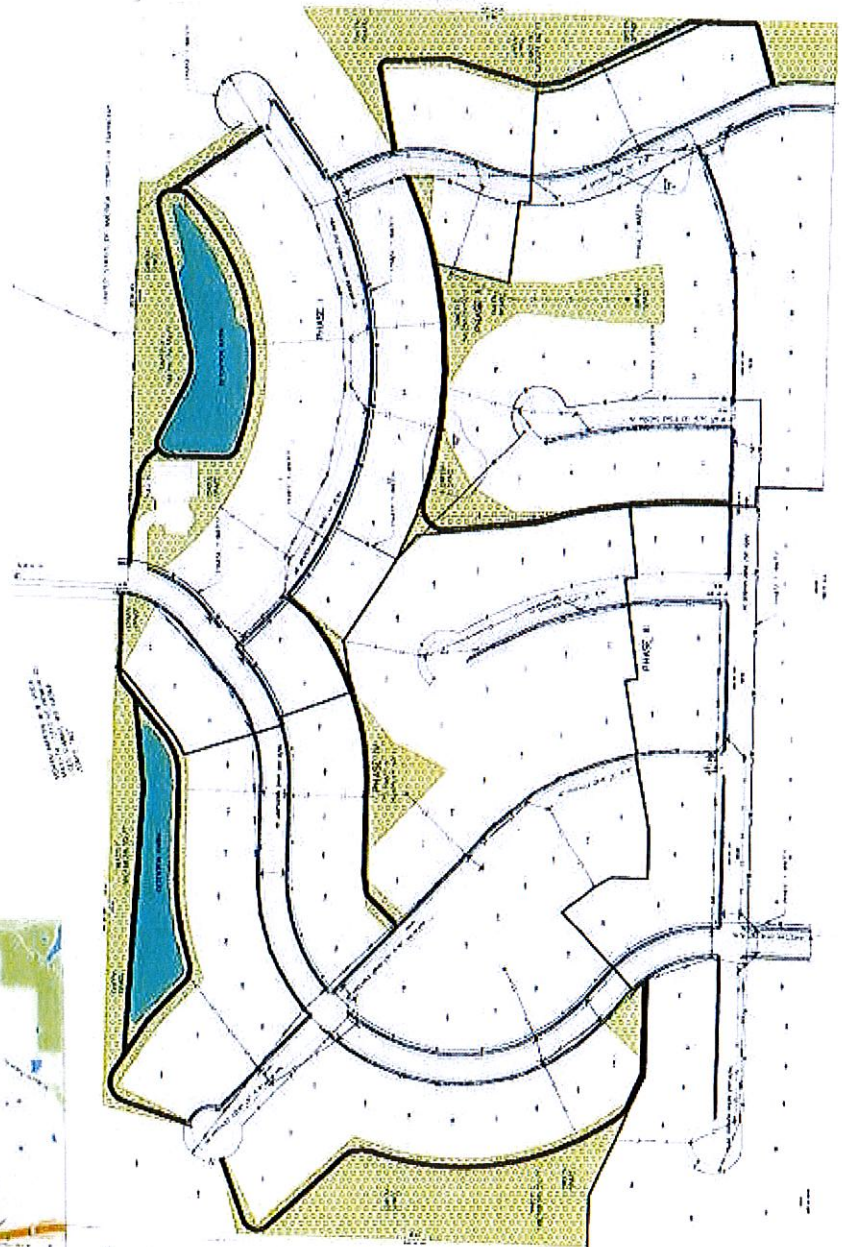
**REVISIONS**

NO.	DATE	DESCRIPTION
1	10/1/15	Initial Plat
2	10/1/15	Revised Plat
3	10/1/15	Revised Plat
4	10/1/15	Revised Plat
5	10/1/15	Revised Plat
6	10/1/15	Revised Plat
7	10/1/15	Revised Plat
8	10/1/15	Revised Plat
9	10/1/15	Revised Plat
10	10/1/15	Revised Plat



## **LEGEND**

- See 10/1/15 Plat A-C for 10/1/15 Plat A-C
- See 10/1/15 Plat D for 10/1/15 Plat D
- See 10/1/15 Plat E for 10/1/15 Plat E
- See 10/1/15 Plat F for 10/1/15 Plat F
- See 10/1/15 Plat G for 10/1/15 Plat G
- See 10/1/15 Plat H for 10/1/15 Plat H
- See 10/1/15 Plat I for 10/1/15 Plat I
- See 10/1/15 Plat J for 10/1/15 Plat J
- See 10/1/15 Plat K for 10/1/15 Plat K
- See 10/1/15 Plat L for 10/1/15 Plat L
- See 10/1/15 Plat M for 10/1/15 Plat M
- See 10/1/15 Plat N for 10/1/15 Plat N
- See 10/1/15 Plat O for 10/1/15 Plat O
- See 10/1/15 Plat P for 10/1/15 Plat P
- See 10/1/15 Plat Q for 10/1/15 Plat Q
- See 10/1/15 Plat R for 10/1/15 Plat R
- See 10/1/15 Plat S for 10/1/15 Plat S
- See 10/1/15 Plat T for 10/1/15 Plat T
- See 10/1/15 Plat U for 10/1/15 Plat U
- See 10/1/15 Plat V for 10/1/15 Plat V
- See 10/1/15 Plat W for 10/1/15 Plat W
- See 10/1/15 Plat X for 10/1/15 Plat X
- See 10/1/15 Plat Y for 10/1/15 Plat Y
- See 10/1/15 Plat Z for 10/1/15 Plat Z



## **Legal Description:**

Section 4 & 5, Township 48 North, Range 31 West, Lee's Summit, Jackson County, Missouri. The plat shows the layout of lots, tracts, and other features. The map includes lot numbers, tract boundaries, and various annotations. A north arrow is located in the upper right corner of the map area.

## **SAVING AND PLAT NOTES:**

The plat shows the layout of lots, tracts, and other features. The map includes lot numbers, tract boundaries, and various annotations. A north arrow is located in the upper right corner of the map area.

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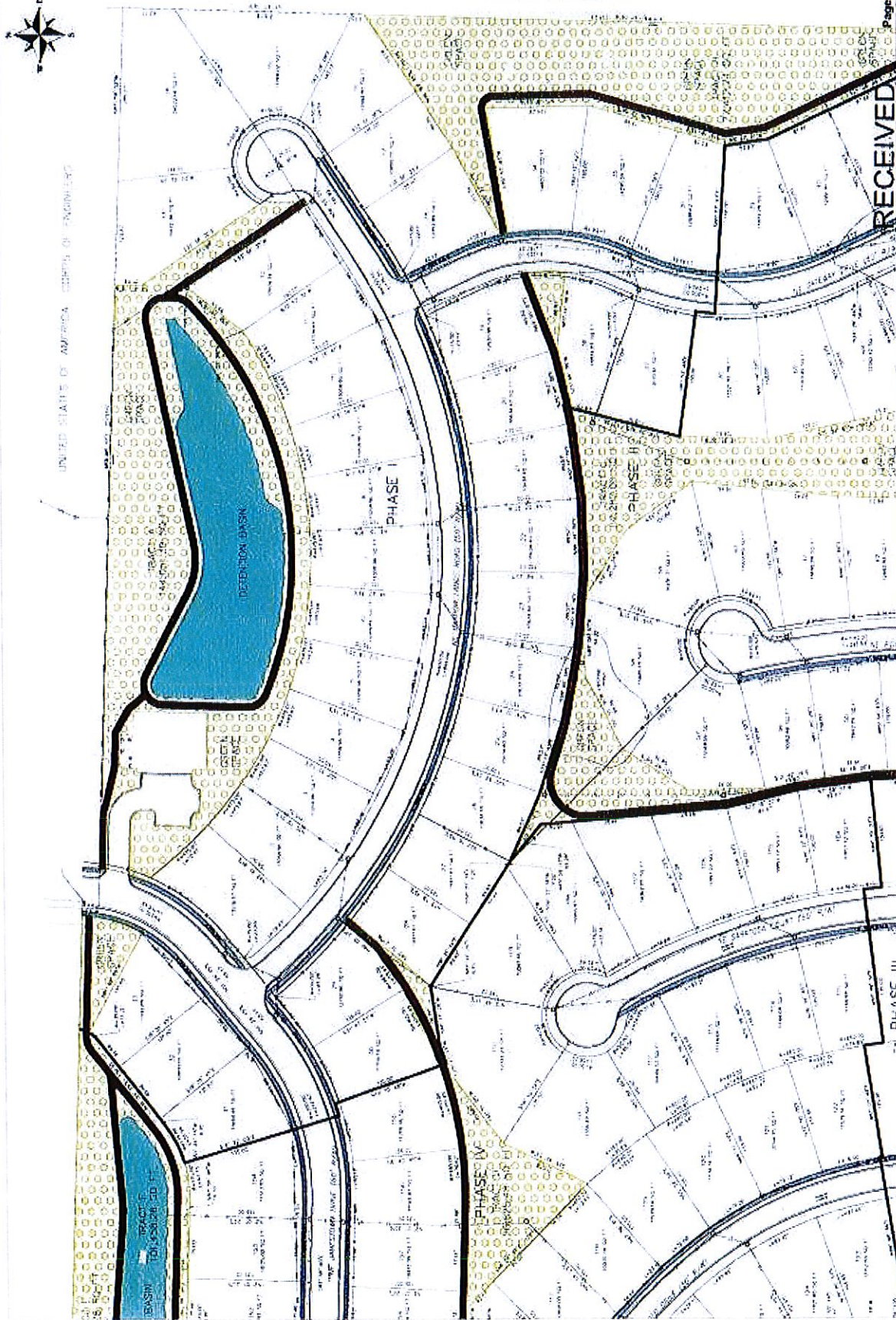


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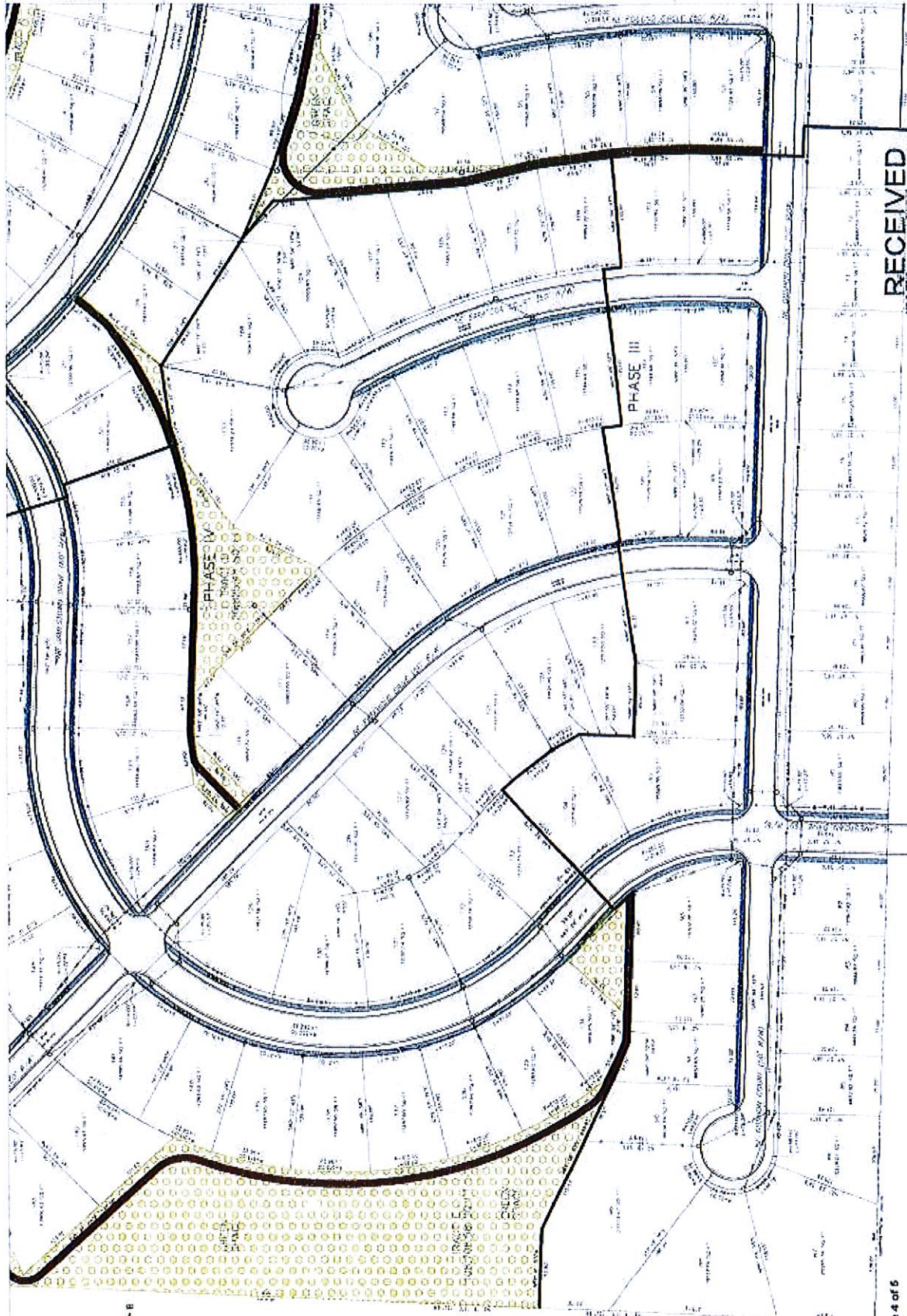




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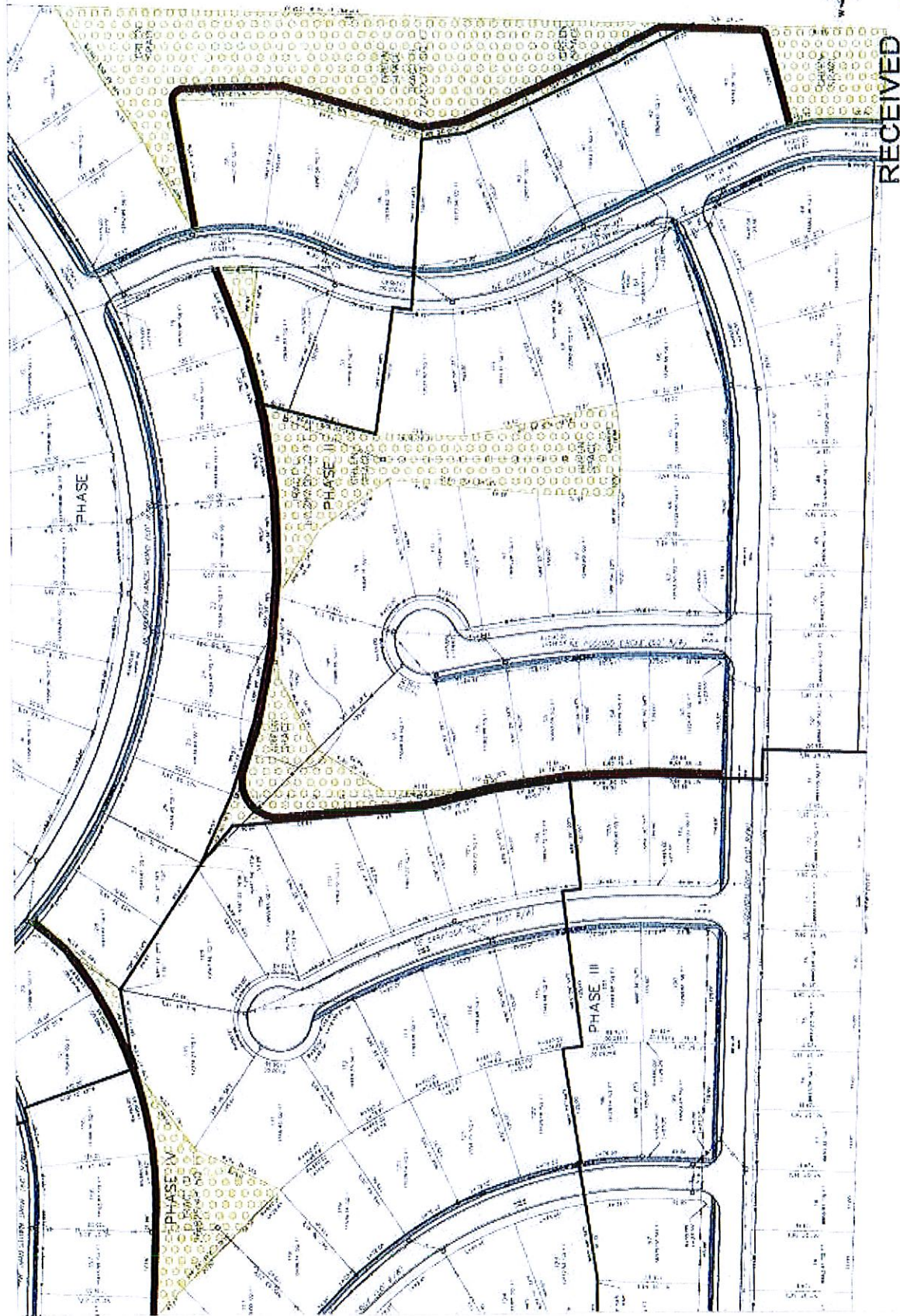


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Section 4 & 5, Township 48 North, Range 31 West  
Level 3 Summit, Jackson County, Missouri  
Preliminary Plat  
Monticello - Lots 1 - 160

Preliminary Plat

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PL#2015-065 - REZONING AND PREL DEV PLAN  
MONTICELLO  
ENGINEERING SOLUTIONS, APPLICANT

