

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED ON THE SOUTH SIDE OF COUNTY LINE ROAD, BETWEEN PRAIRIE LANE AND WARD ROAD, IN DISTRICT PMIX, PROPOSED KENSINGTON FARMS, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2014-099 submitted by BAW Investments, LLC, requesting approval of a preliminary development plan in District PMIX (Planned Mixed Use District) on land located on the south side of County Line Road, between Prairie Lane and Ward Road was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the subject property was zoned District PMIX by the passage of the Unified Development Ordinance, Ordinance No. 5209, on September 6, 2001, which reclassified zoning districts citywide, effective November 1, 2001; 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 September 9, 2014 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 October 2, 2014 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:

*THE NORTH HALF OF SECTION 1, TOWNSHIP 46, RANGE 32, IN CASS COUNTY, MISSOURI. CONTAINS 318.72 ACRES, MORE OR LESS, SUBJECT TO EXISTING ROADS AND EASEMENTS OF RECORD.*

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan date stamped August 19, 2014.
2. The Developer is required to comply with the executed Annexation and Development Agreement pertaining to Kensington Farms and subsequent amendments thereto, including those improvements yet to be completed in association with Phase 2 as amended herein by this application regarding the number of lots permitted per phase of development and such conditions restated and amended in consideration of the same:

- No building permits shall be issued in Phase 2 of the Kensington Farms development until a Certificate of Substantial Completion has been issued for construction of the remaining County Line Road Improvements, from Rupard to Pryor Road/Prairie Lane.
  - No building permits shall be issued in Phase 2 of the Kensington Farms development until a Certificate of Substantial Completion has been issued for construction of the Prairie Lane and Pryor Road Improvements. The Prairie Lane and Pryor Road Improvements shall be revised to include the area of Pryor Road north to M-150 so as to fully mitigate the public safety concern of unimproved road conditions. The Prairie Lane and Pryor Road Improvements shall also be revised to exclude the construction of a cul-de-sac at the south end of Prairie Lane so as to maintain a connected transportation network south of the City limits.
3. The existing tree line along the south property line shall remain to serve as the buffer. If any of the trees are removed during construction on the lot, replacement evergreen trees with a minimum height of 8 feet shall be planted. The number and location of the replacement trees shall be approved by the Department of Planning and Codes Administration.
  4. A modification shall be granted to the 50-foot setback from arterial roadways to allow a 40-foot setback.
  5. The R-1 standards shall apply for the school and public park sites and the PO standards shall apply for the public facility site.
  6. The development standards for the PMIX District shall be as follows:

#### The Retreat

- Minimum lot width of 55 feet
- Minimum lot area of 6000 sq ft.
- Minimum front setback of 25 feet
- Minimum rear setback of 20 feet
- Minimum side setback of 5 feet

#### The Cottages

- Minimum lot width of 50 feet
- Minimum lot area of 6250 sq ft.
- Minimum front setback of 20 feet
- Minimum rear setback of 20 feet
- Minimum side setback of 5 feet

#### The Valley

- Minimum lot width of 61 feet
- Minimum lot area of 6600 sq ft.
- Minimum front setback of 25 feet

- Minimum rear setback of 20 feet
- Minimum side setback of 5 feet

The Timbers

- Minimum lot width of 75 feet
  - Minimum lot area of 7150 sq ft.
  - Minimum front setback of 20 feet
  - Minimum rear setback of 20 feet
  - Minimum side setback of 5 feet
7. The Developer shall provide reasonable assurance that the remaining off-site improvements can be supported with the revised phasing plan.

A maximum of 50 building permits will be allowed in the 2<sup>nd</sup> Plat prior to a 2<sup>nd</sup> point of access being constructed.

SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped August 19, 2014, appended hereto and made a part hereof.

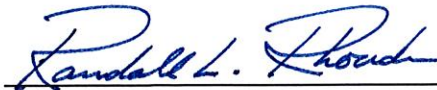
SECTION 4. In granting modifications listed herein, the Governing Body concludes that the development will provide sustainable value to the City, incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent through the proposed project, effectively 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 2<sup>nd</sup> day of October, 2014.



Mayor Randall L. Rhoads

ATTEST:



City Clerk Denise R. Chisum

APPROVED by the Mayor of said city this 6<sup>th</sup> day of October, 2014.



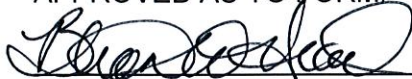
Mayor Randall L. Rhoads

ATTEST:



City Clerk Denise R. Chisum

APPROVED AS TO FORM:



City Attorney Brian W. Head

-2014-099-

RECEIVED

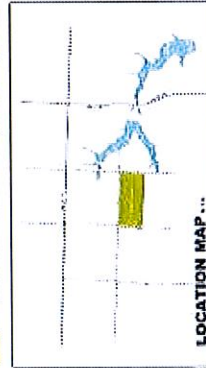
# KENSINGTON FARMS

LEE'S SUMMIT, CASS COUNTY, MISSOURI

## AMENDED DEVELOPMENT PLAN

AUG 16 2014

Planning & Development



### INDEX OF SHEETS

Cover Sheet  
Site Plan  
Grading  
Utilities  
Cottages



AMERICAN CIVIL ENGINEERS ASSOCIATION  
MISSOURI CHAPTER  
1100 WEST 10TH STREET  
ST. LOUIS, MO 63104  
PHONE: 314.436.1000  
FAX: 314.436.1001  
WWW.ACEA-MO.org

Sheet No. 1

LUTJEN

Professional Engineer  
No. 10000  
State of Missouri  
Exp. 12/31/15

| DATE     | DESCRIPTION          |
|----------|----------------------|
| 07-18-14 | Submitted to City    |
| 08-19-14 | Re-submitted to City |

KENSINGTON FARMS  
Lee's Summit, Cass County, Missouri

COVER SHEET



166-014-2011

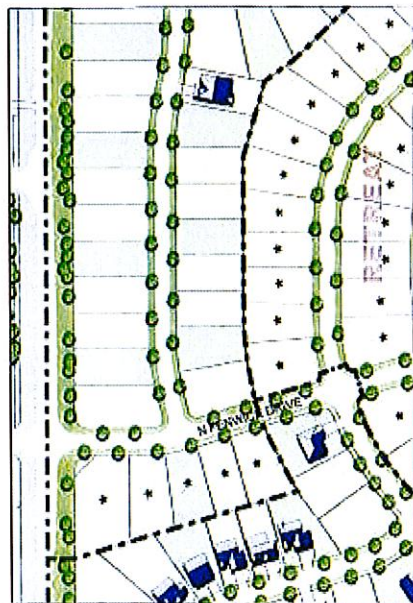
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-2014-030-

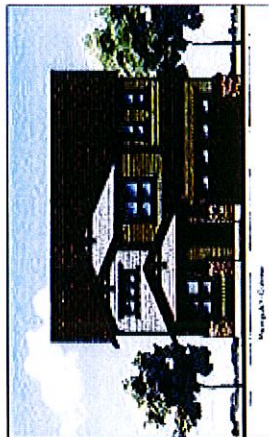
# Planning & Development



**RETREAT PLAN**  
\* 1- AND 2-STORY  
ALLOWED



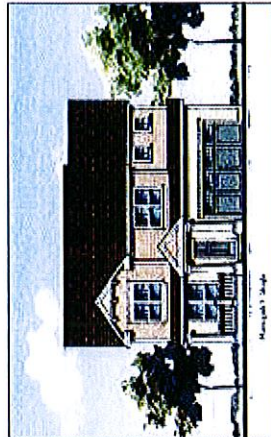
**COTTAGES PLAN**  
\* 1- AND 2-STORY  
ALLOWED



**PROVENANCE CRAFTSMAN - 2 STORY**  
(TYP.)



**PROVENANCE FRENCH COUNTRY - 2 STORY**  
(TYP.)



**PROVENANCE SHINGLE - 2 STORY**  
(TYP.)



**SPENCER CRAFTSMAN - 1 STORY**  
(TYP.)



**SPENCER FRENCH COUNTRY - 2 STORY**  
(TYP.)



**SPENCER MEDITERRANEAN - 1 STORY**  
(TYP.)

ARCHITECTURAL RENDERINGS  
ARE NOT TO BE USED FOR  
MARKETING OR ADVERTISING  
PURPOSES WITHOUT THE  
WRITTEN PERMISSION OF  
LUTJEN & ASSOCIATES, P.C.

|                            |                                     |                                     |                           |
|----------------------------|-------------------------------------|-------------------------------------|---------------------------|
| <b>COTTAGES ELEVATIONS</b> |                                     | Lee's Summit, Cass County, Missouri |                           |
| DATE                       | 03-13-14                            | DESIGNED BY                         | LUTJEN & ASSOCIATES, P.C. |
| PROJECT NO.                | 14-001                              | DATE                                | 03-13-14                  |
| PROJECT NAME               | SPENCER CRAFTSMAN - 1 STORY         | DATE                                | 03-13-14                  |
| PROJECT NAME               | SPENCER FRENCH COUNTRY - 2 STORY    | DATE                                | 03-13-14                  |
| PROJECT NAME               | SPENCER MEDITERRANEAN - 1 STORY     | DATE                                | 03-13-14                  |
| PROJECT NAME               | PROVENANCE CRAFTSMAN - 2 STORY      | DATE                                | 03-13-14                  |
| PROJECT NAME               | PROVENANCE FRENCH COUNTRY - 2 STORY | DATE                                | 03-13-14                  |
| PROJECT NAME               | PROVENANCE SHINGLE - 2 STORY        | DATE                                | 03-13-14                  |
| PROJECT NAME               | RETREAT PLAN                        | DATE                                | 03-13-14                  |
| PROJECT NAME               | COTTAGES PLAN                       | DATE                                | 03-13-14                  |



**4**  
Sheet No. 4

**#PL2014-099 -- PRELIM DEVELOPMENT PLAN**  
**Kensington Farms**  
**BAW Investments, LLC, applicant**

