

BILL NO. 17-126

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 1016 SE BLUE PARKWAY IN DISTRICT CP-2, PROPOSED WEBER CARPET, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-064 submitted by Weber Carpet, requesting approval of a preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 1016 SE Blue Parkway 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 May 9, 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 June 1, 2017, 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 CP-2 on the following described property:

REPLAT OF LOT 2-B VISTA PLAZA LOT 3

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the design of the required 20 foot wide high impact landscape screen along the north property line, to allow a 6' vinyl fence placed on the north property line and all required landscaping material planted on the south side of the fence.
2. Additional architectural features shall be incorporated on the south (front) building elevation to meet the requirement for horizontal and vertical breaks.
3. An alternate parking plan of 29 parking spaces shall be approved as part of the preliminary development plan.
4. All exterior lighting shall meet the lighting requirements as outlined in the Unified Development Ordinance, Division V, Article 7, Lighting Standards.

SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped April 18, 2017, appended hereto and made a part hereof.

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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 _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this ____ day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*