

BILL NO. 22-02

AN ORDINANCE APPROVING A REZONING FROM CP-2 (PLANNED COMMUNITY COMMERCIAL) TO DISTRICT PI (PLANNED INDUSTRIAL) AND PRELIMINARY DEVELOPMENT PLAN FOR LOT 1 TOWN CENTRE ON LAND LOCATED AT 520 NE TOWN CENTRE DR, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-380 submitted by WHD Management, LLC, requesting approval of a rezoning from CP-2 (Planned Community Commercial) to PI (Planned Industrial) and preliminary development plan on land located at 520 NE Town Centre 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 and 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 public hearings for the consideration of the rezoning and preliminary development plan on December 2, 2021, and rendered a report to the City Council recommending that the rezoning and 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 January 4, 2022, and rendered a decision to approve the rezoning and 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 rezoning and preliminary development plan is hereby approved on the following described property:

Lot 1, Lee's Summit Town Centre, Lot 1 & Lot 2

SECTION 2. That the following conditions of approval apply:

1. To comply with the requirements of the UDO, corrugated metal panel systems shall not be used as an exterior building material on any building. Exterior building materials shall comply with the approved materials listed under UDO Section 8.170.A and 8.170.B.
2. To comply with the requirements of the UDO, horizontal breaks, vertical breaks and architectural details shall be extended to all four sides of the proposed buildings in accordance with UDO Section 8.180.A and UDO Section 8.180.B.
3. An Alternate Parking Plan shall be approved to allow 0 striped parking spaces on the storage facility site.
4. Submittal of a geotechnical report to the City for the reclaimed pond site shall be required for Pad Sites A & B prior to the issuance of any building permit.

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SECTION 3. 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 4. 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 5. 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 _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*