

BILL NO. 21-106

AN ORDINANCE APPROVING A COMMERCIAL PRELIMINARY DEVELOPMENT PLAN LOCATED AT 4101 NE PORT DRIVE, PROPOSED CLIMATE CONTROLLED STORAGE FACILITY, IN DISTRICT PMIX, 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 #PL2021-063 submitted by Lakewood Self-Storage, LLC requesting approval of a commercial preliminary development plan in District PMIX (Planned Mixed Use District) on land located at 4101 NE Port Drive 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 request on April 22, 2021, and rendered a report to the City Council containing findings of fact and a recommendation 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 May 18, 2021, and approved a motion for a second ordinance reading to approve the preliminary development plan for said property; and

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:

LOT 35, LAKEWOOD BUSINESS PARK LOT 33A & LOTS 34-36---LOT 35, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, MISSOURI.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to allow outdoor activities (i.e. exterior access to non-climate controlled storage units) to occur on site.
2. A modification shall be granted to the 1:3 roof pitch requirements to allow a flat roofed building.
3. The development shall be in accordance with the preliminary development plan, inclusive of the use of architectural smooth metal panels as a conditional material as depicted on the building elevations, consisting of the following pages:

BILL NO. 21-106

- Site Plan, revise date March 23, 2021 - 1 page
- Site Grading Plan, revise date March 23, 2021 - 1 page
- Misc. Site Details, revise date March 23, 2021 - 1 page
- Landscape Sheet, revised submittal date April 8, 2021 - 1 page
- Photometric Sheet, dated March 15, 2021 – 1 page
- Elevations, dated April 2, 2021 - 2 pages
- Elevation Renderings, dated February 22, 2021 - 2 pages
- Material Board, dated March 12, 2021 - 1 page
- Photometric Sheet, dated March 15, 2021 - 1 page

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 _____, 2021.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

BILL NO. 21-106

APPROVED by the Mayor of said city this ____ day of _____, 2021.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian W. Head