

BILL NO.

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN (PHASE 1) AND CONCEPTUAL DEVELOPMENT PLAN (PHASE 2) FOR LAND LOCATED AT 1151 NW WARD RD, 1201 NW WARD RD AND 1231 NW WARD RD FOR SUMMIT ORCHARDS NORTH, 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 #PL2023-339 submitted by Townsend Summit, LLC, requesting approval of a preliminary development plan in District PMIX on land located at 1151 NW Ward Rd, 1201 NW Ward Rd and 1231 NW Ward Rd 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 public hearings for the consideration of the preliminary development plan on February 22, 2024, 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 March 26, 2024, 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 on the following described property:

All of Lots 1A-1 and 1A-2 of Summit Innovation Center, Lots 1A-1 & 1A-2, Lee's Summit, Jackson County, Missouri; and

All of Lot 1B of Summit Innovation Center, Lots 1A & 1B, Lee's Summit, Jackson County, Missouri.

SECTION 2. That the following conditions of approval apply:

1. Development of Lot 1A-1 and Lot 1A-2 (Phase 1) shall be in accordance with the preliminary development plan dated January 23, 2024, inclusive of the development standards (i.e., lot coverage, setbacks, building height, density/FAR, land use, parking standards, etc.) and building elevations contained therein.
2. Road improvements shall be constructed as recommended in the Transportation Impact Analysis conducted by staff dated February 13, 2024.
3. Signage standards shall be subject to the Tenant Sign Criteria handbook with an upload date of December 7, 2023.
4. Approval of Lots 1B-1, 1B-2 and 1B-3 (Phase 2) shall be conceptual only. Development of

BILL NO.

said lots shall not occur until a new preliminary development plan is approved under a separate application.

SECTION 3. Development shall be in accordance with the preliminary development plan dated January 23, 2024, including the building elevations contained therein, appended hereto as Attachment A; the Transportation Impact Analysis dated February 13, 2024, appended hereto as Attachment B; and the Tenant Sign Criteria handbook with an upload date of December 7, 2023, appended hereto as Attachment C.

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 Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

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 _____, 2024.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2024.

Mayor William A. Baird

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BILL NO.

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*