

BILL NO. 17-47

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 704 AND 708 SE OLDHAM COURT IN DISTRICT CS, PROPOSED KANSAS CITY MOTORS, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-217 submitted by Kansas City Motors, LLC, requesting approval of a preliminary development plan in District CS (Planned Commercial Services) on land located at 704 and 708 SE Oldham Court 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 January 24, 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 February 16, 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 CS on the following described property:

Lots 2 and 3, Oldham East Business Park, Lots 1, 2, and 3.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the required lighting uniformity ratios as required by Section 7.250.F of the UDO to allow for the lighting as proposed on the lighting plan date stamped January 3, 2017.
2. A total of five (5) wall signs and one (1) above canopy sign shall be allowed on the building. The signs shall comply with the size standards of the CS District.

SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped January 3 and 17, 2017, appended hereto and made a part hereof.

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,

BILL NO. 17-47

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*