

## **BILL NO.**

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AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED AT 1150 SE BLUE PKWY, PROPOSED AUTOMOTIVE SALES IN DISTRICT CP-2, 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 #PL2021-203 submitted by RED Architecture + Planning requesting approval of a preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 1150 SE Blue Pkwy 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 August 12, 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 September 7, 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 CP-2 on the following described property:

*Lot 314, Vista Del Verde 11<sup>th</sup> Plat, a subdivision in Lee's Summit, Jackson County, Missouri according to the recorded plant thereof, except that part conveyed to the Missouri Highway and Transportation Commission by the warranty deed recorded July 22, 1998 as Document No. 98-K38698 in Book K-3240 at Page 456.*

SECTION 2. That the following conditions of approval apply:

1. The development shall be in accordance with the building architecture condition material approval request, dated August 5, 2021.
2. The development shall be in accordance with the Preliminary Development Plan consisting of 10 pages:
  - Site Plan, dated August 25, 2021
  - Drainage Plan, dated August 25, 2021-2 pages

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- Landscape Plan, dated August 27, 2021-4 pages
- Architectural elevations, dated August 25, 2021-3 pages

3. The special use permit shall be granted for a period of 30 years.

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*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor *William A. Baird*

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\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian Head*