

BILL NO. 16-260

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 210 SW MARKET ST. AND 211 SW JEFFERSON ST. IN DISTRICT PMIX, PROPOSED CO-WORK LEE'S SUMMIT, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-199 submitted by Ben Rao, requesting approval of a preliminary development plan in District PMIX (Planned Mixed Use District) on land located at 210 SW Market St. and 211 SW Jefferson St. was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the subject property was zoned District PMIX, by the passage of the Unified Development Ordinance, Ordinance No. 5209, on September 6, 2001, which reclassified zoning districts citywide, effective November 1, 2001; 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 November 22, 2016, 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 December 8, 2016, 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 PMIX on the following described property:

210 SW Market St.

Town of Strother, all of Lots 3, 4, & 5 Block 11 & Vacated alley lying west of and adjacent to.

And

211 SW Jefferson St.

Town of Strother, all of Lots 16, 17, 18 Block 11.

Containing 55,308 sq. ft. 1.27 acres more or less

SECTION 2. That development shall be in accordance with the preliminary development plan, date stamped November 7, 2016, appended hereto and made a part hereof.

BILL NO. 16-260

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 the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

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 _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this _____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*