

BILL NO. 21-105

AN ORDINANCE APPROVING A COMMERCIAL PRELIMINARY DEVELOPMENT PLAN LOCATED AT 1321 SW MARKET STREET IN DISTRICT CP-2, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, OF THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-037 submitted by Engineering Solutions, LLC requesting approval of a commercial preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 1321 SW Market Street 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 June 1, 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:

All of Lot 17, South Port Business Park 1st Plat Lots 1-18 & Tract A, a subdivision as recorded in the Office of the Recorder, Jackson County, Missouri.

SECTION 2. That the following conditions of approval apply:

1. An alternant parking plan shall be approved to reduce the number of required parking stalls from 35 to 34.

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.

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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

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian W. Head