

## **BILL NO. 22-235**

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AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR SUMMIT ORCHARDS WEST ON LAND LOCATED AT 700 NW WARD ROAD IN DISTRICT PMIX, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 33, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2022-311 submitted by NorthPoint Development, requesting approval of a preliminary development plan in District PMIX (Planned Mixed Use District) on land located at 700 NW Ward Road was referred to the Planning Commission to hold a public hearing; 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 October 27, 2022, 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 November 15, 2022, 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 CP-2 on the following described property:

*LOT 10, SUMMIT FAIR, SECOND PLAT, LOTS 8, 10-14 AND TRACT C, A SUBDIVISION OF LAND IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI*

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan dated September 27, 2022, 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. The existing sanitary sewer easement that conflicts with the proposed building layout shall be vacated and recorded with the Jackson County Recorder of Deeds Office prior to the issuance of any building permit for Lot 10B or Lot 10C.
3. Road improvements shall be constructed as recommended in the Transportation Impact Analysis conducted by staff dated October 12, 2022.
4. Signage standards shall be subject to the Tenant Sign Criteria handbook with an upload date of September 27, 2022.

SECTION 3. Development shall be in accordance with the preliminary development plan dated September 27, 2022., as conditioned above and appended hereto as Attachment A, and the Tenant Sign Criteria appended hereto as Attachment B.

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SECTION 4. Nonseverability. That 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 the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

SECTION 7. 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 \_\_\_\_\_, 2022.

ATTEST:

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

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

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

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

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*