

## **BILL NO. 19-67**

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AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED ON LOT 1 OLDHAM EAST BUSINESS PARK IN DISTRICT CS, PROPOSED EXTRA SPACE, INDOOR CLIMATE CONTROLLED STORAGE FACILITY IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, OF THE UNIFIED DEVELOPMENT ORDINANCE OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-022, submitted by Hernly Associates, requesting approval of a preliminary development plan in District CS (Commercial Services District) on land located on *Lot 1, Oldham East Business Park* 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 March 14, 2019, 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 April 2, 2019, and approved a motion for a second ordinance reading 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:

Section 8, Township 47 North, Range 31 West, in Lee's Summit, Jackson County, Missouri, being described as follows:

*LOT 1, OLDHAM EAST BUSINESS PARK, LOTS 1, 2, AND 3, A SUBDIVISION  
IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.*

SECTION 2. That the following conditions of approval apply:

1. A Conditional building material shall be approved to allow concealed fastener architectural wave metal panels as shown on the preliminary development plan.
2. A modification shall be granted to the maximum allowable 0.65 FAR in the CS district, to allow 1.01 FAR.
3. The glass windows on the building shall be opaque.
4. Development shall be in accordance with the preliminary development plan date stamped February 19, 2019.
5. The special use permit shall be granted for a period of 25 years.

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SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped February 19, 2019:

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, 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 Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

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 \_\_\_\_\_, 2019.

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

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2019.

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Mayor William A. Baird

ATTEST:

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

APPROVED AS TO FORM:

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City Attorney *Brian Head*