

SUBSTITUTE BILL NO. 25-001

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A CONCRETE BATCH PLANT FACILITY IN DISTRICT PI ON LAND LOCATED AT 2250 NW QUARRY PARK RD FOR A PERIOD OF TEN (10) YEARS, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-176, submitted by Clarkson Construction Company, requesting a special use permit for a concrete batch plant facility in District PI on land located at 2250 NW Quarry Park Rd, 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 request on December 12, 2024, and rendered a report to the City Council containing findings of fact and a recommendation that the special use permit be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on January 7, 2025, and rendered a decision to grant said special use permit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That a special use permit is hereby approved in District PI on the following described property:

BEGINNING 56.53 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 48, RANGE 32; THENCE NORTH ALONG THE ½ SECTION LINE 300 FEET; THENCE SOUTH 57 DEGREES EAST 865.65 FEET; THENCE SOUTH 300 FEET; THENCE NORTH 57 DEGREES WEST 865.65 FEET TO THE POINT OF BEGINNING.

SECTION 2. That the following conditions of approval apply:

1. The special use permit to operate a concrete batch plant shall be granted for a period of ten (10) years.
2. The Applicant shall enter into a mutually satisfactory road maintenance agreement with the City for road maintenance from the Applicant's access point onto and including Quarry Park Road to the east.

SECTION 3. Use of the property subject to the special use permit shall be in accordance with the site plan appended hereto as Attachment A.

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.

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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 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 _____, 2025.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2025.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*