

BILL NO. 18-77

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED AT 1000 SE CENTURY DRIVE IN DISTRICT CP-2, PROPOSED MCCARTHY CHEVEROLET AUTOMOTIVE SERVICE AND SALES FACILITY IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-032 submitted by WRL Investments, requesting approval of a preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 1000 SE Century Drive 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 April 24, 2018, 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 May 17, 2018, 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:

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

*LOT 12, EASTSIDE BUSINESS PARK, A SUBDIVISION IN LEE'S SUMMIT,
JACKSON COUNTY, MISSOURI.*

SECTION 2. That the following conditions of approval apply:

1. A Modification shall be granted to the landscape buffer yard width of 20 feet, to allow a 10-foot landscape buffer yard width along the south property line.
2. A modification shall be granted to the parking lot landscape screening spacing, to allow the parking lot landscape screening to be clustered.

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- 3. Development shall be in accordance with the preliminary development plan date stamped April 3, 2018.
- 4. At the time the subject property is developed a 5 foot sidewalk shall be extended west (approximately 50 feet) along SE Oldham Pkwy to connect to the existing sidewalk.
- 5. Sidewalk shall be provided along the lot frontage of SE Century Drive within 90 days after notification that a sidewalk on the abutting property is scheduled to be constructed.

SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped April 3, 2018, appended hereto and made a part hereof.

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 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 _____, 2018.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

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APPROVED by the Mayor of said city this ____ day of _____, 2018.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*