

BILL NO. 21-70

AN ORDINANCE APPROVING A COMMERCIAL PRELIMINARY DEVELOPMENT PLAN LOCATED AT 890 NE LANGSFORD RD, PROPOSED CHASE BANK, IN DISTRICT CP-2, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-026 submitted by JP Morgan Chase requesting approval of a commercial preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 890 NE Langsford 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 request on April 8, 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 April 20, 2021, 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 CP-2 on the following described property:

LOT 1, STAR FUEL CENTER OF LEE'S SUMMIT, LOT 1, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF FILED APRIL 3, 2000 IN PLAT BOOK I-67, PAGE 17 AS DOCUMENT NO. 2000I0020477.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the required 20' parking lot setback from right-of-way, to allow a 0' parking lot setback from the M-291 Hwy right-of-way.
2. The Developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, median improvements to Langsford Rd as addressed in the City Traffic Engineer's TIA dated March 31, 2021. No building permits shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office.
3. Development shall be in accordance with the preliminary development plan consisting of 20 pages:

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- Cover Sheet and general notes, signed and sealed, February 18, 2021-2 pages
- Demolition Plan, signed and sealed, February 18, 2021
- Site Plan, signed and sealed, February 18, 2021
- Grading and Drainage Plan, signed and sealed, February 18, 2021-2 pages
- Utility Plan, signed and sealed, February 18, 2021
- Photometric Plan and Details, signed and sealed, February 18, 2021-6 pages
- Roadway Sheet Plan, signed and sealed, February 18, 2021
- Land Title Survey, dated July 17, 2019
- Landscape Plan, signed and sealed, February 17, 2021-2 pages
- Colored Exterior Elevations, dated February 19, 2021
- Black and White Exterior Elevations, dated December 12, 2020- 2pages

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.

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*

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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*