

BILL NO. 24-040

AN ORDINANCE APPROVING REZONING FROM DISTRICT RP-2 (PLANNED TWO-FAMILY RESIDENTIAL) AND CP-2 (PLANNED COMMUNITY COMMERCIAL) TO DISTRICT CP-2 AND PRELIMINARY DEVELOPMENT PLAN FOR PRO DEO YOUTH CENTER ON APPROXIMATELY 0.9 ACRES OF LAND LOCATED AT 107 SE 9TH ST AND 902 SE DOUGLAS STREET, ALL 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 #PL2023-335 submitted by Engineering Solutions, LLC., requesting approval of a rezoning from RP-2 (Planned Two-family Residential) and CP-2 (Planned Community Commercial District) to CP-2 and preliminary development plan on land located at 107 SE 9th St and 902 SE Douglas St was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning and 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 rezoning and preliminary development plan on February 8, 2024, and rendered a report to the City Council recommending that the rezoning and 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 March 5, 2024, and rendered a decision to approve the rezoning and 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 rezoning and preliminary development plan is hereby approved on the following described property:

ALL OF LOTS 9 AND 10, SOUTHVIEW HEIGHTS, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.

CONTAINING 39,245 SQUARE FEET OR 0.9 ACRES, MORE OR LESS.

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan with a revision date of January 5, 2024.
2. Development shall be in accordance with the building elevations with an upload date of January 15, 2024.

SECTION 3. That rezoning of the property from RP-2 and CP-2 to CP-2 shall be as depicted on the rezoning exhibit appended hereto as Attachment A. Development shall be in accordance with the preliminary development plan set revision dated January 5, 2024, appended hereto as Attachment B; and, building elevations with an upload date of January 15, 2024, appended hereto as Attachment C.

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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 _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*