

## **BILL NO. 22-150**

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AN ORDINANCE APPROVING A REZONING FROM DISTRICT CP-2 (PLANNED COMMUNITY COMMERCIAL) TO DISTRICT PI (PLANNED INDUSTRIAL) AND PRELIMINARY DEVELOPMENT PLAN FOR LAND LOCATED AT 950 NE POLLARD ST, 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 #PL2022-159 submitted by Engineering Solutions, LLC, requesting approval of a rezoning from CP-2 (Planned Community Commercial) to PI (Planned Industrial) and preliminary development plan on land located at 950 NE Pollard 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 July 14, 2022, 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 July 26, 2022, 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:

*LOT 3D, CLOVER ACRES LOTS 3C & 3D*

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the requirement for a sidewalk along the entire street frontage along a commercial or industrial street, to not require construction of the sidewalk segment (approximately 54' in length) east of the easternmost driveway serving the site. Payment in lieu of construction for said segment shall be required.
2. Development shall be in accordance with the preliminary development plan dated May 23, 2022 (attached as Exhibit A), and building elevations with revised dates of May 24, 2022 (attached as Exhibit B), subject to conditions further contained below.
3. To satisfy the requirements of the UDO, all sides of the building shall include similar architectural details, materials and colors to minimize a back-side presentation to other buildings.

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- 4. To satisfy the requirements of the UDO for a building with flat roofs, buildings with a pitch of 2 inches vertical to 12 inches horizontal or less shall incorporate detailed parapets or exaggerated cornice lines to provide architectural relief. Said parapet or exaggerated cornice line shall be extended to the rear building elevation.

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 \_\_\_\_\_, 2022.

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

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*