

BILL NO. 24-130

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR DIVENTURES ON LAND LOCATED AT 2951 NE INDEPENDENCE AVENUE, 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 #PL2024-117 submitted by Diventures, requesting approval of a preliminary development plan on land located at 2951 NE Independence Ave 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 public hearings for the consideration of the preliminary development plan on June 27, 2024, 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 July 23, 2024, 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 on the following described property:

LOT 4B OF STROTHER CROSSING, LOCATED IN THE NW1/4 OF THE NE1/4,
SECTION 20, T.48N., R.31E., CITY OF LEE'S SUMMIT, JACKSON COUNTY,
MISSOURI

SECTION 2. That the following conditions of approval apply:

1. A modification to the required 20' parking lot setback shall be granted, to allow for a 13' parking lot setback on the side (eastern) property line adjacent to the I-470 MoDOT right of way.
2. Nine (9) total attached wall signs shall be approved as shown on the Sign Analysis, received May 28, 2024.
3. Development shall be in accordance with the preliminary development plan dated May 28, 2024 and building elevations with an upload date of May 28, 2024.

SECTION 3. That development shall be in accordance with the preliminary development plan dated May 28, 2024, building elevations and Signage Analysis with an upload date of May 28, 2024, appended hereto as Attachment A and Attachment B respectively, and made a part hereof.

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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*