

BILL NO. 18-108

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 760 NW BLUE PARKWAY IN DISTRICT CP-2, PROPOSED SPIRA CARE IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-080 submitted by Drake Development, LLC, requesting approval of a preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 760 NW Blue Pkwy 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 June 26, 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 July 12, 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:

LOT 2, WEST SUMMIT PARKWAY LOTS 1 & 2

SECTION 2. That the following condition of approval applies:

1. Additional architectural features shall be incorporated on the south and north building elevations to meet the requirement for horizontal and vertical breaks.

SECTION 3. That development shall be in accordance with the preliminary development plan, date stamped June 21, 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.

BILL NO. 18-108

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*

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*