

BILL NO. 24-025

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR LAND LOCATED AT 3100 NE CARNEGIE DRIVE, 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 #PL2023-319 submitted by Engineering Solutions, LLC., requesting approval of a preliminary development plan in District CP-2 on land located at 3100 NE Carnegie Dr. 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 January 25, 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 February 27, 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:

CHAPEL RIDGE BUSINESS PARK LOTS 9BB & 9D

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the minimum 20' parking lot setback from right-of-way, to allow a 5.39' parking lot setback from the NE Strother Rd. right-of-way.
2. A modification shall be granted to the required straight-back Portland cement concrete curbing (CG-1) to allow for a ribbon curb type as depicted on the preliminary development plan dated November 17, 2023, and revised December 22, 2023.
3. A modification shall be granted to the requirement that all roof-mounted equipment be screened entirely from view by using parapet walls at the same height as the mechanical units, to allow the proposed screening system in lieu of parapet walls for screening around the periphery of the roof-top mechanical equipment as depicted on the submitted building elevations, dated November 17, 2023, and revised December 22, 2023.
4. Development shall be in accordance with the preliminary development plan dated November 17, 2023, and revised December 22, 2023.
5. The use of architectural metal panels shall be allowed as a conditional material as depicted on the building elevations dated November 17, 2023, and revised December 22, 2023.

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SECTION 3. Development shall be in accordance with the preliminary development plan dated November 17, 2023, and revised December 22, 2023, and building elevations dated November 17, 2023, and revised December 22, 2023, appended hereto as Attachments A and B, respectively.

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*