

BILL NO. 20-202

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED AT 420 SW LONGVIEW BLVD IN DISTRICT PMIX, 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 #PL2020-224 submitted by Box Real Estate Development, LLC, requesting approval of a preliminary development plan in District PMIX (Planned Mix Use District) on land located at 420 SW Longview Blvd 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 request on October 8, 2020, and rendered a report to the City Council containing findings of fact and a recommendation 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 November 17, 2020, and approved a motion for a second ordinance reading to approve the preliminary development plan for said property; and

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 PMIX on the following described property:

Lot 7, TOWER PARK COMMERCIAL - PHASE 2, Lots 5, 6, 7, Tracts A and B, a subdivision in Lee's Summit, Jackson County, Missouri.

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan dated August 25, 2020. The architectural style and building materials for the proposed new building shall be consistent with the building elevations date issued August 6, 2020 and August 26, 2020.
2. Alternate Parking ratios based on the ULI Shared Parking Analysis Study dated April 3, 2003, shall be approved as part of the preliminary development plan for Lot 7 in accordance with Article 8, Division II (Parking) of the UDO.

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3. The applicant shall prepare descriptions of right-of-way vacations and any necessary easements for the following locations prior to final occupancy:

Excess right-of-way along the west side of SW Longview Blvd shall be vacated between SW Fascination Dr to SW Kessler Dr, generally including the existing slip lanes and angle parking in order to mirror the right-of-way limits along the east side of SW Longview Blvd.

SECTION 3. That development shall be in accordance with the preliminary development plan, issued August 25, 2020, and building elevations issued August 6, 2020, August 26, 2020 as described in the staff report.

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 _____, 2020.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2020.

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Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*