

## **AMENDED BILL NO. 18-150**

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AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED AT 222 SW MAIN ST AND 207 SW MARKET ST, PROPOSED REECE NICHOLS REAL ESTATE OFFICE IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-100 submitted by Engineering Solutions, LLC, requesting approval of a preliminary development plan on land located at 222 SW Main St and 207 SW Market St 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 August 28, 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 September 20, 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 on the following described properties:

DAHMER DEVELOPMENT LOTS 1-3---LOT 2 & E 1/2 VAC ALLEY W OF & ADJ TH NLY 75.32' OF SD LOT 2 AS MEAS ALG WLY LI

DAHMER DEVELOPMENT LOTS 1-3---LOT 1 & W 1/2 VAC ALLEY E OF & ADJ

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the maximum allowable 1.0 FAR in the CBD, to allow 1.12 FAR on Lot 2.
2. A modification shall be granted to the landscaping requirements of Article 14, to allow no landscaping for the development.
3. Approval of the surface parking lot on Lot 1 shall be included as part of this preliminary development plan. Configuration of the parking lot shall be subject to final design and engineering.

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4. Approval of the two-story building with a 2,625 sq. ft. footprint depicted on Lot 1 shall not be included as part of the subject application. Development of the building shall require approval a preliminary development plan under separate application.
5. Approval of the subject preliminary development plan shall include the reservation of the area depicting the two-story building on Lot 1 of the revised site plan dated September 14, 2018, for construction of a future building.
6. Islands shall be provided at the ends of the parking bays where they about the adjacent alley.
7. The east-west alley shall be designed to accommodate two-way traffic. The drive lanes of the divided portion of the alley shall be designed to be no greater than 14-feet wide. The undivided portion of the east-west alley shall be designed to be a minimum of 20-feet wide, but no greater than 24-feet wide.
8. Landscaping shall be installed per an approved landscape plan on Lot 1 if no building construction has begun, this condition shall be fulfilled prior to the occupancy of the building on Lot 2.

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 the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

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 \_\_\_\_\_, 2018.

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Mayor *William A. Baird*

ATTEST:

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

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APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2018.

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

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