

BILL NO. 18-181

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED AT 2240 SE BLUE PKWY IN DISTRICT CP-2, PROPOSED EAST LEE'S SUMMIT BRANCH LIBRARY IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-145 submitted by Mid Continent Public Library requesting approval of a preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 2240 SE 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 October 25, 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 November 6, 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 located in Section 1, Township 47 North, Range 32 West, in Lee's Summit, Jackson County, Missouri, being more particularly described as follows:

LOT 2A, MAGNOLIA PLACE AT CHARLESTON PARK, SECOND PLAT, LOTS 2A-3, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the high-impact landscaping buffer along the RP-4 property to the north, to allow low-impact landscaping buffer along the north property line.
2. A modification shall be granted to the 6' maximum letter height for a wall sign, to allow a 6.75' maximum letter height for the wall sign located on the south façade of the proposed building.
3. A modification shall be granted to the requirement that all roof-mounted equipment shall be screened entirely from view by using parapet walls at the same height as the mechanical units, to allow the proposed aluminum composite material screening wall around the periphery of the roof-top mechanical equipment.

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4. The use of the aluminum composite metal (ACM) panels shall be approved as a conditional material.

5. The development shall be in accordance with the preliminary development plan, date stamped September 18, 2018.

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 Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

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.

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 W. Head*