

## **BILL NO. 21-19**

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AN ORDINANCE APPROVING A COMMERCIAL PRELIMINARY DEVELOPMENT PLAN LOCATED AT 250 NW McNARY COURT IN DISTRICT CP-2, 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 #PL2020-243 submitted by Premier Design Group requesting approval of a commercial preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 250 NW McNary Court 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 January 7, 2021, 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 February 2, 2021, 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 CP-2 on the following described property:

*A tract of land being all of lot 3B, Summit Tec Annex – lots 3A, 3B, and 3C, a subdivision in Township 46 North, Range 31 West, in the City of Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof, being a replat of lot 1 and tract a of block 3 of Summit Tec Industrial Park, a subdivision in the City of Lee's Summit, Jackson County, Missouri.*

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the site plan dated October 30, 2020.
2. Development shall be in accordance with the grading and utility plan dated on November 25, 2020.
3. Development shall be in accordance with the landscape plan, dated August 8, 2020.
4. The architectural style and building materials for the proposed new building shall be consistent with the building elevations date issued November 5, 2020.

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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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2021.

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

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