

## **BILL NO. 21-209**

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AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED AT 710 SE BLUE PARKWAY, PROPOSED MAJOR AUTOMOTIVE REPAIR 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 #PL2021-279 submitted by Cross Development-CC Lee's Summit, LLC. requesting approval of a preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 710 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 request on September 23, 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 October 19, 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:

*Lot 2, CHAPMAN PLAZA II, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.*

*Revised Description per Surveyor of Record*

*Lot 2, CHAPMAN PLAZA II, a subdivision filed for record as Document 2010E0122508, being part of the Northeast Quarter of Section 8, Township 47 North, Range 31 West City of Lee's Summit, Jackson County, Missouri.*

SECTION 2. That the following conditions of approval apply:

1. The development shall be in accordance with the Preliminary Development Plan consisting of 29 pages:
  - Cover Sheet, dated September 3, 2021
  - Preliminary, dated June 1, 2021
  - Demolition Plan, dated September 3, 2021
  - Erosion Control, dated September 3, 2021-4 pages
  - Site Plan, dated September 3, 2021-5 pages

## **BILL NO. 21-209**

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- Grading Plan, dated September 3, 2021
  - Inlet Area Map, dated September 3, 2021
  - Storm Profiles, dated September 3, 2021
  - Storm Details, dated September 3, 2021-2 pages
  - UGD Details, dated September 3, 2021-2 pages
  - Utility Plan, dated September 3, 2021-2 pages
  - Utility Details, dated September 3, 2021-3 pages
  - Landscape Plan, dated September 3, 2021-2 pages
  - Sight Distance Exhibit, dated September 3, 2021
  - Architectural Elevations, dated September 3, 2021-2 pages
  - Lighting Plan, dated September 3, 2021
2. Construction of sidewalks along the subject property's SE Blue Pkwy and SE 7<sup>th</sup> Terr frontages shall not be required of the developer as part of the subject development in accordance with the Payment in Lieu of Construction approval letter dated August 23, 2021.

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*

**BILL NO. 21-209**

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

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

ATTEST:

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

APPROVED AS TO FORM:

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