

AN ORDINANCE APPROVING A COMMERCIAL PRELIMINARY DEVELOPMENT PLAN LOCATED AT 150 NW OLDHAM PARKWAY IN DISTRICT CP-2, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, OF THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-024 submitted by Mid-Continent Public Library requesting approval of a commercial preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 150 NW Oldham Parkway 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 April 8, 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 April 20, 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:

*MID-CONTINENT ADD TRACT A, Jackson County, Missouri, containing 70,306 sq. ft. or 1.6140 acres, more or less.*

*And*

*SUMMIT SHOPPING CENTER LOT 1, Jackson County, Missouri, containing 722,033 sq. ft. or 16.5756 acres, more or less.*

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to reduce the required parking lot setback from 20' to 2'4" along the east property line adjacent to NW Oldham Parkway and 12'10" along the south property line adjacent to SW McClendon Drive.
2. A modification shall be granted to allow a 21' 7" pillar sign as shown on the signage elevations dated March 18, 2021.
3. The use of aluminum composite metal (ACM) panels shall be granted as a conditional material as shown on the building elevations date stamped October 12, 2020.

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 4th day of May, 2021.

ATTEST:

Trisha Fowler Arcuri  
City Clerk Trisha Fowler Arcuri



William A. Baird  
Mayor William A. Baird

APPROVED by the Mayor of said city this 6th day of May, 2021.

ATTEST:

Trisha Fowler Arcuri  
City Clerk Trisha Fowler Arcuri



William A. Baird  
Mayor William A. Baird

APPROVED AS TO FORM:

Brian W. Head  
City Attorney Brian W. Head