

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PROPOSED VEHICLE/EQUIPMENT SALES IN DISTRICT CP-2 ON LAND LOCATED AT 706-710 SE BLUE PARKWAY (LAWN & LEISURE AND CHAPMAN PLAZA II) FOR A PERIOD OF TWENTY (20) YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2011-020 submitted by Lawn and Leisure, requesting a special use permit for vehicle/equipment sales (Lawn & Leisure and proposed Chapman Plaza II) in District CP-2 (Planned Community Commercial District) on land located at 706-710 SE Blue Parkway, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, related Application #PL2011-019 has been submitted and processed for the approval of a preliminary development plan in conjunction with the special use permit for the subject property; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on April 12, 2011, and rendered a report to the City Council containing findings of fact and a recommendation that the special use permit be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on May 5, 2011, and rendered a decision to grant said special use permit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the application pursuant to Section 10.450 of the Unified Development Ordinance to allow vehicle/equipment sales in District CP-2 with a Special Use Permit is hereby granted for a period of twenty (20) years, with respect to the following described property:

All of Lot 1, Lawn and Leisure Addition and also all of Lots 1 and 2, Chapman Plaza II, recorded subdivisions in the City of Lee's Summit, Jackson County, Missouri.

SECTION 2. That development shall be in accordance with the preliminary development plan dated March 10, 2011 and the Lighting Plan dated February 23, 2011, submitted as Appl. #PL2011-019, subject to the following conditions of approval:

1. Development of the parking lot and display area expansion on Lot 1, Lawn & Leisure Addition and Lot 1, Chapman Plaza II shall be in accordance with the preliminary development plan, dated March 10, 2011.
2. Development of the buildings shown on Lots 1 and 2, Chapman Plaza II, as depicted on the conceptual drawing, shall require a separate preliminary development plan application to be considered by the Planning Commission and City Council.
3. A modification shall be granted to the required 30' display area setback, to allow a 16' setback from the south property line for the new concrete display pad.

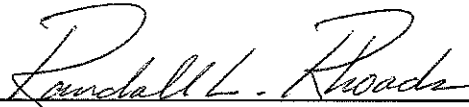
4. A modification shall be granted to the restriction against the installation of fencing in the area forward of the main building, to allow new fencing forward of the building along the east and south property lines that matches and ties into the existing steel pipe fencing.
5. A modification shall be granted to the required 15' of separation between each vehicle or piece of equipment, to allow the lesser or 5' or the minimum separation required by the UDO.
6. A modification shall be granted to allow the use of CG-2 curbing around the perimeter of the parking lots instead of the required CG-1 curbing.
7. A modification shall be granted to the sidewalk requirement, to allow no sidewalks along Blue Parkway and 7th Terrace.
8. A modification shall be granted to the street tree and shrub requirement along Blue Parkway. The street tree and shrub requirement shall be met along 7th Terrace.
9. An additional two (2) trees shall be provided to meet the open yard landscaping requirement.
10. A modification shall be granted to the parking lot screening requirement along Blue Parkway, provided that low level landscaping (defined as shrubs or ground cover with a mature height of approximately 12-24 inches, which may be clustered rather than forming a continuous screen), shall be provided as a substitute along Blue Parkway between the property line and the new concrete display area.
11. Documentation shall be provided showing approval by MoDOT for any construction work and for the location of the landscaping in state right-of-way prior to the issuance of any building permits.
12. Any portion of the existing gravel area on Lot 1, Chapman Plaza II that will not otherwise be improved as a temporary asphalt parking/storage as shown on the plan shall be removed and the area planted with grass.
13. A public access easement shall be established over an area that includes the southwest driveway of Lot 1, Lawn and Leisure Addition and extends to the west property of Lot 1, Lawn and Leisure Addition.
14. Documented proof shall be provided of a private easement and maintenance agreement granted from Lot 3 and Lot 2 to Lot 1, Chapman Plaza II for private storm sewer infrastructure.

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 Unified Development Ordinance, No. 5209.

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 2nd day of June, 2011.


Mayor Randall L. Rhoads

ATTEST:


Deputy City Clerk Trisha Whitehead

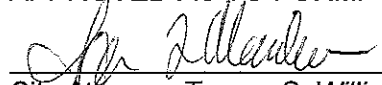
APPROVED by the Mayor of said city this 6th day of June, 2011.


Mayor Randall L. Rhoads

ATTEST:


Deputy City Clerk Trisha Whitehead

APPROVED AS TO FORM:


City Attorney Teresa S. Williams

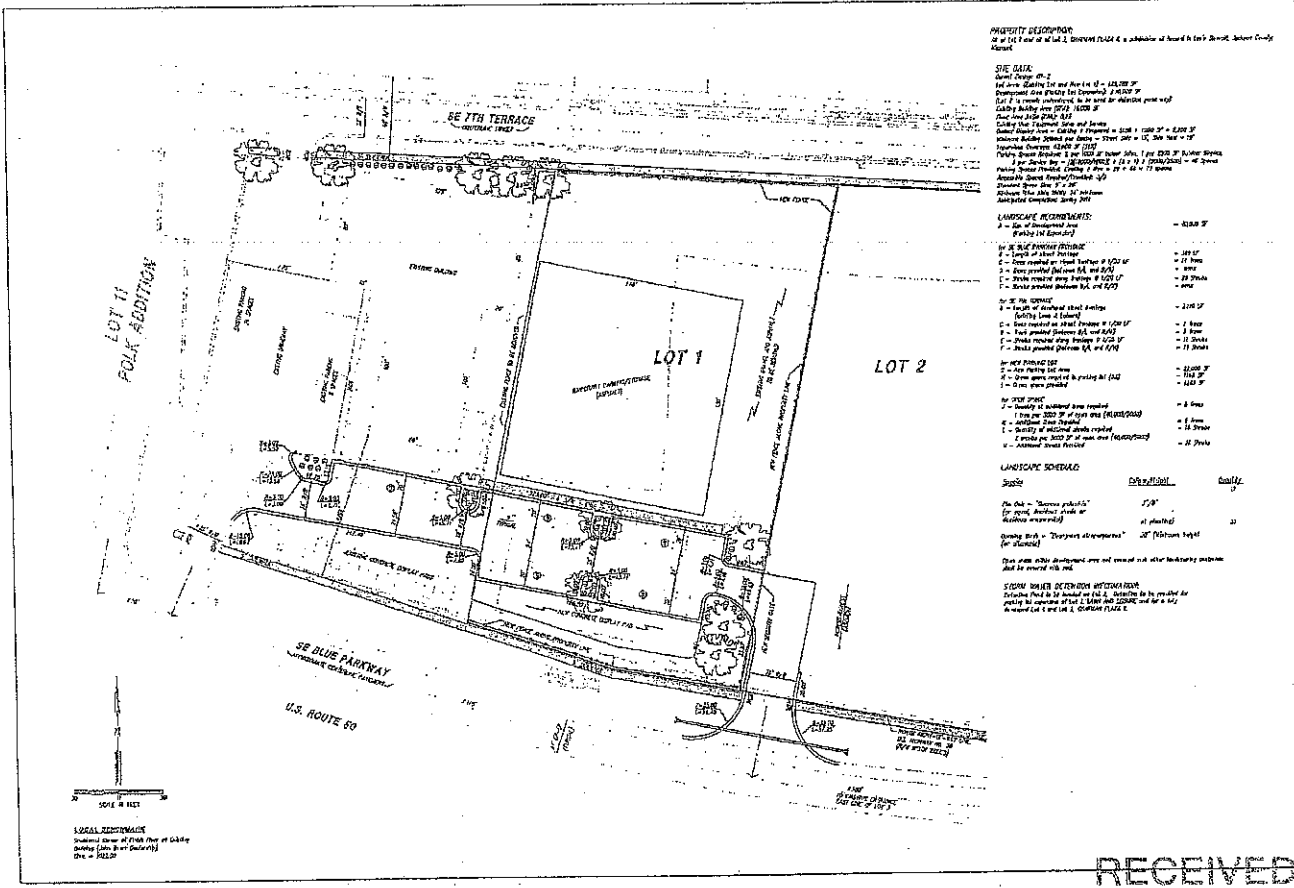
**PRELIMINARY DEVELOPMENT PLAN
CHAPMAN PLAZA II
Lot 1 and Lot 2
LEE'S SUMMIT, JACKSON COUNTY, MISSOURI**

INDEX

1. COVER SHEET
2. LOT 1 - GRADATION and LANDSCAPE PLAN
3. LOT 1 - GRADING PLAN, TOP of CURB ELEVATIONS and SITE IMPROVEMENTS
4. DETENTION POND
5. CONCEPT DEVELOPMENT PLAN

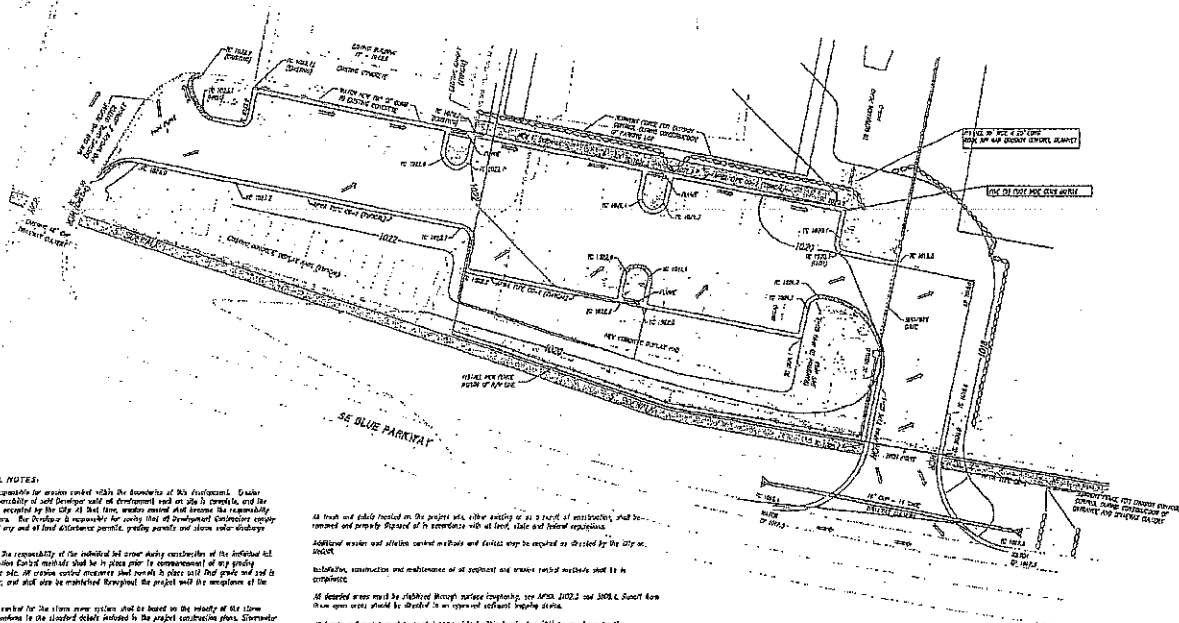
LEGEND

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1/8"	1/8" = 50'
1/16"	1/16" = 25'
1/32"	1/32" = 12.5'
1/64"	1/64" = 6.25'
1/128"	1/128" = 3.125'
1/256"	1/256" = 1.5625'
1/512"	1/512" = 0.78125'
1/1024"	1/1024" = 0.390625'
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HAMILTON & SPENCER, INC. ENGINEERS & ARCHITECTS 100 S. 10th St., Suite 200 Des Moines, IA 50319 Phone: (515) 281-1111 Fax: (515) 281-1112	
DIMENSION and LANDSCAPE PLAN LOT 1 and LOT 2 CHAPMAN PLAZA II LEXINGTON, JACKSON COUNTY, MISSOURI	
DATE: 03/10/2011 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]	SHEET NO. 2 OF 5

-2011-019-
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ENHANCED CONTROL NOTES:

The Developer shall be responsible for erosion control within the boundaries of this development. Erosion control shall be the responsibility of the Developer until the development is completed, and the responsibility shall then be transferred to the City of Jackson. The Developer is responsible for ensuring that all development is constructed in accordance with the standards of any and all local ordinances, grading permits and storm water discharge permits.

Grading Control shall be the responsibility of the individual lot owner during construction of the individual lot. Erosion Control and Sediment Control measures shall be in place prior to commencement of any grading activity on any lot. All erosion control measures shall be maintained throughout the project until the completion of the lot by the City.

Lot and right-of-way control for the storm water system shall be based on the results of the storm water model and shall conform to the standards included in the project construction plans. Stormwater pipes, manholes and structures shall be protected by all barriers and kept free from debris and all of the time prior to final project completion.

The grading shall be steeper than 3:1. All areas graded shall have the soil surface properly revegetated and mulched to a depth of 2 to 4 inches prior to grading. Areas that have been graded and are not yet revegetated shall be covered by erosion control matting until revegetation is complete.

Setback Control shall be based on the project construction plans and shall be maintained throughout the project. Setback Control shall be maintained throughout the project until the completion of the lot by the City or the City.

Grading on any lot shall be completed prior to the start of construction of the building. Grading shall be completed prior to the start of construction of the building. Grading shall be completed prior to the start of construction of the building.

If not met, the applicant shall be responsible for the cost of the grading. The applicant shall be responsible for the cost of the grading. The applicant shall be responsible for the cost of the grading.

All work and materials shall be installed in the lot within the City of Jackson. The City of Jackson shall be responsible for the installation of the work and materials. The City of Jackson shall be responsible for the installation of the work and materials.

Additional water and utility control methods and devices may be required as directed by the City of Jackson.

Installation, maintenance and replacement of all equipment and structures shall be in accordance with the City of Jackson.

All cleared areas shall be stabilized through surface roughening, see ADOCS 1002.2 and 1004.4. Surface roughening shall be completed prior to the start of construction.

All barriers and control shall be installed within 100 feet of the lot line of construction.

- GENERAL NOTES:**
- All construction and materials shall conform to the standards of the City of Jackson. The City of Jackson shall be responsible for the installation of the work and materials.
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LOCAL REQUIREMENTS:

- Construction shall comply with the standards of the City of Jackson. The City of Jackson shall be responsible for the installation of the work and materials.
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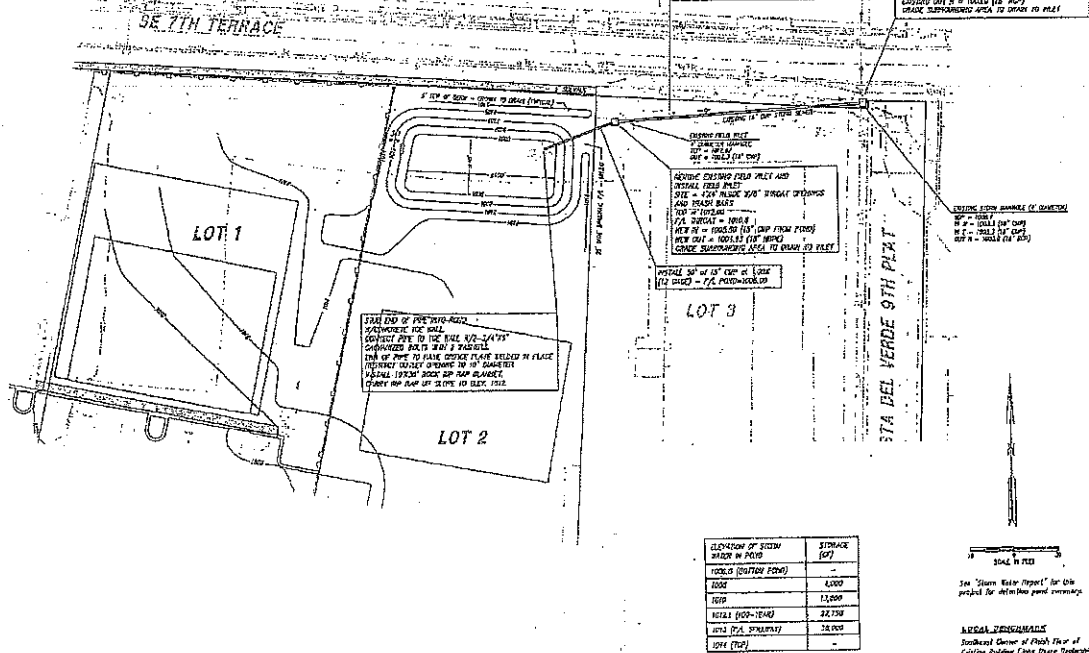
<p>CHANGING PLAN TOP OF CURB ELEVATIONS AND SITE IMPROVEMENTS</p>		<p>LOT 1 and LOT 2</p> <p>CHEAPMAN PLAZA II</p> <p>LEE'S SUMMIT - JACKSON COUNTY, MISSOURI</p>
<p>DATE: 10/10/2009</p> <p>BY: [Signature]</p> <p>FOR: [Signature]</p> <p>PROJECT: [Signature]</p> <p>SCALE: 1" = 40'</p> <p>NO. 1011B</p>	<p>DATE: 10/10/2009</p> <p>BY: [Signature]</p> <p>FOR: [Signature]</p> <p>PROJECT: [Signature]</p> <p>SCALE: 1" = 40'</p> <p>NO. 1011B</p>	<p>DATE: 10/10/2009</p> <p>BY: [Signature]</p> <p>FOR: [Signature]</p> <p>PROJECT: [Signature]</p> <p>SCALE: 1" = 40'</p> <p>NO. 1011B</p>

2011-019

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CHAPMAN INDUSTRIAL PARK PLAT TWO
(Document No. 1671876)



ELEVATION OF SURFACE GRADE IN FEET	STORAGE (CU)
1000	10,000
1005	11,000
1010	12,000
1015	13,000
1020	14,000
1025	15,000
1030	16,000
1035	17,000
1040	18,000
1045	19,000
1050	20,000

See "Storm Water Report" for the
project for detention pond capacity.

LEGAL DESCRIPTION:
Industrial Center of Clark County at
Clark County (Clark County Tract)
Tract = 100.00

-2011-019-

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-2011-020-

MAR 10 2011

Planning & Development

HAMILTON & STREET, INC. ENGINEERS-ARCHITECTS 1000 N. 10TH ST. SUITE 100 DENVER, CO 80202 TEL: 303.733.1111 FAX: 303.733.1112 WWW.HAMILTON-AND-STREET.COM	
DETECTION POND	LOT 1, LOT 2, LOT 3 CHAPMAN PLAZA II DEVELOPMENT, JACKSON, CO, "N" - MISSOURI
DATE: 03/10/2011	BY: [Signature]
4	5



LOT 4 LOT 5 LOT 6 LOT 7 LOT 8 LOT 9 LOT 10
CHAPMAN INDUSTRIAL PARK PLAT TWO
(Document No. 1671516)

LOT 13
VISTA DEL VERDE
6TH PLAT
(Document No. 1443928)

LOT 11
POLK ADDITION
(Document No. 11332038)

LAWN & LEISURE ADDITION
LOT 1
(Document No. 1693380)

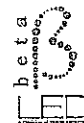
LOT 400, VISTA DEL VERDE 9TH PLAT

LOT 2, LOT 1
FARMER 5 COMMERCIAL
(Document No. 98-1-14897)

LINE	TYPE	DATE	DESCRIPTION	LENGTH	AREA	PERMITS	STATUS
1	1	1/1/00	1.000	1.000	1.000	1.000	1.000

*** Feature mounted to existing poles as shown

LINE	TYPE	DATE	DESCRIPTION	LENGTH	AREA	PERMITS	STATUS
1	1	1/1/00	1.000	1.000	1.000	1.000	1.000



Drawn: R772011 Scale: 1"=40' Layout by: B.L.L.
Project Name: Lawn & Leisure Customer No: 08131
Filename: S:\Out\110127P\10131.AXD
Footcandles calculated at grade

1100 62nd Street
Shulkrutt, WI 53177
www.betalighting.com
(800) 218-6000

Read the data result shown on this layout design and based on project parameters provided to this agency used in conjunction with landscape lighting products and/or other lighting systems. Actual project results may vary. The user is responsible for making appropriate use of any applicable electrical, lighting, or safety laws.

2011-08-11
2011-01-11
2011-01-11
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Appl. #PL2011-019 - PDP and
Appl. #PL2011-020 - SUP
706-710 SE Blue Pkwy;
Lawn & Leisure, applicant

