

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 706-710 SE BLUE PARKWAY IN DISTRICT CP-2 (LAWN & LEISURE AND PROPOSED CHAPMAN PLAZA II), ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL-2011-019 submitted by Lawn and Leisure, requesting approval of a preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 706-710 SE Blue Parkway (Lawn & Leisure and proposed Chapman Plaza II), was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, related Application #PL2011-020 has been submitted and processed for the approval of a special use permit for vehicle/equipment sales, in District CP-2, on the subject property; and

WHEREAS, the subject property was zoned District CP-2 by the passage of the Unified Development Ordinance, Ordinance No. 5209, on September 6, 2001, which reclassified zoning districts citywide, effective November 1, 2001; 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 April 12, 2011, 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 May 5, 2011, 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 on 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 (5 pages) and the Lighting Plan dated February 23, 2011 (1 page), appended hereto and made a part hereof.

SECTION 3. That the following conditions of approval apply:

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.

SECOND SUBSTITUTE BILL NO. 11-37**ORDINANCE NO. 7056**

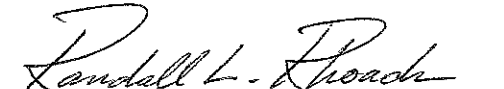
SECTION 4. In granting modifications listed herein, the Governing Body concludes that the development will provide sustainable value to the City, incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent through the proposed project, effectively utilize the land upon which the development is proposed, and further the goals, spirit and intent of the Unified Development Ordinance.

SECTION 5. 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 6. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance, No. 5209.

SECTION 7. 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

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM CP-2 AND PI-1 TO CP-2 ON LAND LOCATED AT 706-710 SE BLUE PARKWAY AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR CHAPMAN PLAZA, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #2008-140 requesting a change in zoning classification from District CP-2 AND PI-1 (Planned Community Commercial District and Planned Light Industrial District) to District CP-2 (Planned Community Commercial District) on land located at 706-710 and Application #2008-141, requesting approval of a preliminary development plan for Chapman Plaza, submitted by Larry Chapman, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, related Application #2008-142 has been submitted and processed for the approval of a special use permit for outdoor display of vehicles and equipment for sale in District CP-2; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on October 14, 2008, and rendered a report to the City Council recommending that the zoning requested and 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 and 13, 2008, and rendered a decision to rezone said property and 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 the following described property is hereby rezoned from District CP-2 and PI-1 to District CP-2:

All of Lot 1, LAWN & LEISURE ADDITION, a subdivision of land in Lee's Summit, Jackson County, Missouri, and also all of Lot 400, VISTA DEL VERDE, 9TH PLAT, a subdivision land in said City, County and State, and also part of the Northeast Quarter of Section 8 and also part of the Northwest Quarter of Section 9, both being in Township 47, Range 31 in said City, County and State, all more particularly described as follows;

BEGINNING at the Northwest Corner of said Lot 1, LAWN & LEISURE ADDITION, said Corner also being the Northeast Corner of Lot 11; POLK ADDITION, a subdivision of land in said City, County and State, said Corner also being on the South right-of-way Line of SE 7th Terrace as now established; thence in an easterly direction along the North Line of said Lot 1 and an easterly extension thereof, said North Line and said extension also being said South right-of-way Line, South 86 degrees 35 minutes 24 seconds East a distance of 722.26 feet (Plat, Deed = South 86 degrees 35 minutes 20 seconds East, 722.33 feet) to a point on the West Line of said Lot 400, VISTA DEL VERDE, 9TH PLAT as established by existing monumentation; thence continuing along said South right-of-way Line and also along said West Lot Line, North 01 degrees 33 minutes 50 seconds East (Plat = North 00 degrees 23 minutes 29 seconds West) a distance of 5.77 feet to the Northwest Corner of said Lot 400; thence continuing along said South right-of-way Line and also along the North

Line of said Lot 400, South 88 degrees 05 minutes 06 seconds East (Plat = North 89 degrees 36 minutes 31 seconds East) a distance of 38.75 feet (Plat = 40.00 feet) to the Northeast Corner of said Lot 400, said Corner also being the Northwest Corner of FARMER'S COMMERCIAL, a subdivision of land in said City, County and State; thence South 01 degrees 54 minutes 15 seconds West along the East Line of said Lot 400, said Line also being the West Line of said FARMER'S COMMERCIAL (Plats = South 00 degrees 23 minutes 29 seconds East), a distance of 382.18 feet to the Southeast Corner of said Lot 400, said Corner also being the Southwest Corner of said FARMER'S COMMERCIAL, said Corner also being on the Northerly right-of-way Line of U.S. Highway No. 50 as now established; thence in a westerly direction along said Northerly right-of-way Line the following four (4) courses; South 87 degrees 42 minutes 44 seconds West a distance of 39.76 feet (Plat = South 85 degrees 30 minutes 06 seconds West, 40.00 feet); thence North 87 degrees 45 minutes 50 seconds West, a distance of 155.02 feet (Deed = North 87 degrees 45 minutes 30 seconds West, 155.00 feet); thence North 79 degrees 42 minutes 38 seconds West a distance of 318.56 feet (Deed = North 79 degrees 43 minutes 15 seconds West, 318.50 feet); thence North 71 degrees 02 minutes 46 seconds West a distance of 310.14 feet (Plat, Deed = North 70 degrees 58 minutes 15 seconds West, 310.24 feet) to the Southwest Corner of said Lot 1, said Corner also being the Southeast Corner of said Lot 11; thence North 11 degrees 51 minutes 13 seconds East along the West Line of said Lot 1 and also along the East Line of said Lot 11 (Plats = North 09 degrees 43 minutes 00 seconds East, North 09 degrees 47 minutes 16 seconds East) a distance of 263.99 feet to the POINT OF BEGINNING. Containing 6.26 acres

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan, dated September 26, 2008.
2. 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.
3. 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.
4. A modification shall be granted to the required 15' of separation between each vehicle or piece of equipment, to allow 6' of separation.
5. A modification shall be granted to allow CG-2 curbing around the parking lot within Lot 1.
6. A public access easement shall be established over an area that includes the southwest driveway of Lot 1 and extends to the west property line of Lot 1.
7. A modification shall be granted removing the sidewalk requirement along Blue Parkway and 7th Terrace adjacent to Lots 1 and 2.
8. An additional two (2) trees shall be provided on Lot 1 to meet the open yard landscaping requirement.
9. On Lot 1, a modification shall be granted to the parking lot screening requirement along Blue Parkway, provided that low level landscaping shall be provided as a substitute along Blue Parkway between the property line and the new concrete display area.
10. On Lot 1, a modification shall be granted eliminating the street tree and shrub requirement along Blue Parkway. The street tree and shrub requirement shall be met along the 400 feet of frontage on Lot 1 along 7th Terrace.

11. All proposed exterior building materials shall come from the commercial district "approved materials" list under Article 7.
12. The trash enclosure on Lot 2 shall be constructed of masonry walls with an opaque steel gate painted a color compatible with the color of the masonry walls and building it is to serve.
13. 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.
14. The existing gravel area east of the Lawn & Leisure shall be removed and the area planted with grass by May 31, 2009.

SECTION 3. In granting modifications listed herein, the Governing Body concludes that the development will provide sustainable value to the City, incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent through the proposed project, effectively utilize the land upon which the development is proposed, and further the goals, spirit and intent of the Unified Development Ordinance.

SECTION 4. 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 5. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance No. 5209.

SECTION 6. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED by the City Council of the City of Lee's Summit, Missouri, this 20th day of November, 2008.


Mayor Karen R. Messerli


ATTEST:


City Clerk Denise R. Chisum

BILL NO. 08-182

ORDINANCE NO. 6731

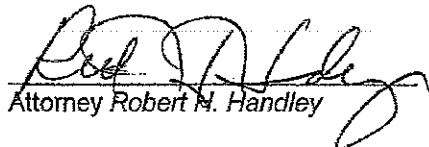
APPROVED by the Mayor of said city this 4th day of December, 2008.


Mayor Karen R. Messerli

ATTEST:

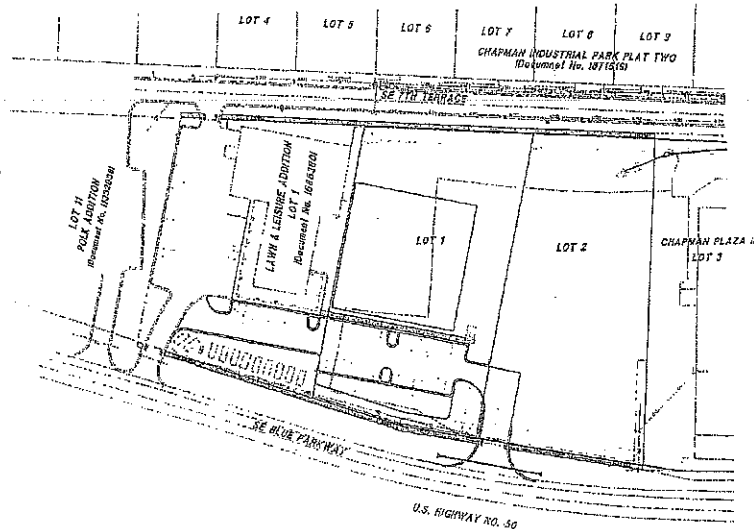

City Clerk Denise R. Chisum

APPROVED AS TO FORM:


Attorney Robert M. Handley

7. COVER SHEET
8. LOT 1 - DIMENSION and LANDSCAPE PLAN
9. LOT 1 - GRADING PLAN, TOP of CURB ELEVATIONS and SITE IMPROVEMENTS
10. DETENTION POND
11. CONCEPT DEVELOPMENT PLAN

<u>LEGEND</u>	
E/D	Back to One
W/L	Wholly One
W/L	Corporate Note/Share Plan
W/L	Cost of Preference
17%	Fixed Asset Dividend
17%	Fixed Tax
100%	With Dividend Payments/Share Issues etc
100%	Banking Allow
100%	APPL of Tax
100%	3 months
1	Temporary Dividend
100%	Share Issue
100%	Tax at 10%
100%	100% Dividend

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DEVELOPER - Lot 1

LAWN & LEISURE
706 SE Blue Parkway
Lee's Summit, MO 64063
Contact - Tom Kraft
816-524-6695

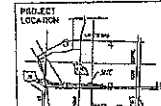
UTILITIES
Los Angeles Power & Light
 1201 Main
 Burbank City, MO.
 818-338-2977
Alhambra Gas Co.
 3025 E. Center Drive
 Los Angeles, MO.
 818-383-2200
City of Los Angeles
 220 S.E. Green Street
 Los Angeles, MO.
 818-383-1000

PROFESSIONAL
 65 Main Central Boulevard 24-25
 Northing: 30.715 N 20.2 W, Easting: 060728.475m
 244 Parker 6.7338977
 Drg - 2055.77
 Date: 2008

LOCAL BENCHMARK
 Southwest Corner of Field (East of Existing
 Building (John Cunn. Section 16))
 East of 1072.50

LEGAL REMEDY:
Swirlcut Corner of Field Door of Existing
Building (John Coors Inc.)
Box 1 102253

VICINITY MAP



RECEIVED

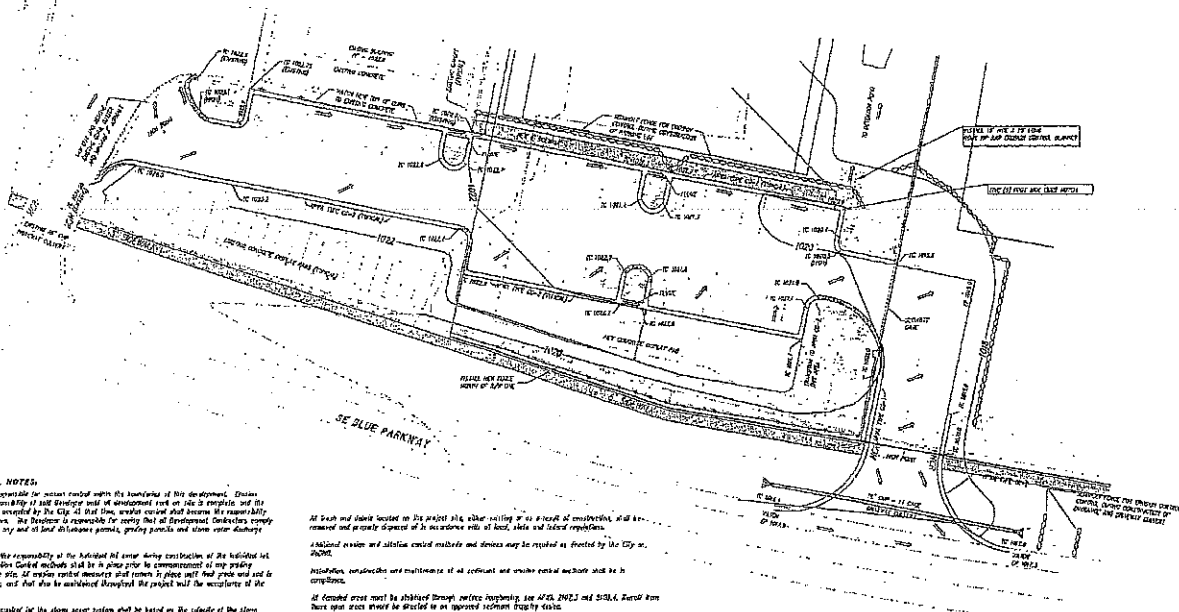
COVER SHEET

1 15 5

MAR 10 2015

- 2011-019 -

2011-2012 Planning & Development



EROSION CONTROL NOTES

noted that the responsibility of all Developer and all environmental work on site is complete and the requirements have been accepted by the City. At that time, written consent shall become the responsibility of the individual lot owner. The Developer is responsible for seeing that all Development Contractors comply with the requirements of any and all discharge permits, grading permits and storm water discharge permits.

Cracks limited just to the accessibility of the Archaic Jet area during construction of the Industrial Jet. Cracks limited and Siltation Control methods shall be in place prior to commencement of any grading and/or excavation of the site. All erosion control measures shall remain in place until final grade and soil is completed by the Bidder; and that when he is maintained throughout the project until the acceptance of the work by the City.

refer small and shall conform to the standard which existed in the project construction phase. Whenever pits, ditches and channels shall be perfected by all farmers and kept in good state and all of it shall prior to land surface stabilization.

Soil and trees shall be harvested periodically and after every rain event for storage and for the amount of material which has accumulated. Removal of material will be required when it equals one-third (1/3) the height of the adjacent trees. Soil and trees to be replaced or replaced as necessary, or when required by the City of Houston.

Parting on non-surfaced areas is prohibited in order to eliminate the condition whereby mud and debris from construction and employee vehicles is tracked onto publicly owned land. The contractor shall keep the existing roadway free of mud, rock and debris at all times.

IF YOU ARE NOT SURE OF THE ANSWER, PLEASE LEAVE IT BLANK. DO NOT GUESS.

πρώτα. Ή είχαμε δυνατότητα διαλογής, με στοιχεία ενός κλάδου δεν θα ήταν ικανοποιητικό.

All trash and debris located on the project site, either existing or as a result of construction, shall be removed and properly disposed of in accordance with all local, state and federal regulations.

Additional signage and additional control methods and devices may be required as directed by the City or, 20201.

Inspections, construction and maintenance of all significant and critical control measures shall be in 20202.

All extended areas must be abraded through wet/dry compaction, see AFM 292.3 and 533.4. Extended areas must also be finished to an approved treatment through testing.

ALL WORKS AND PROJECTS MUST BE PERFORMED AND COMPLETED WITHIN TWENTY-FOUR (24) HOURS OF COMMENCEMENT.

GENERAL NOTES:

1. All construction and materials shall conform to the latest edition of the City of Los Angeles Uniform Building Ordinance (UBO) and applicable state and federal regulations. It is acknowledged that the applicant is responsible for obtaining all necessary permits and approvals from the appropriate authorities.

2. Conveyable shall contact The Public Works Department 15 days prior to commencement of construction.

3. Contractor shall verify the location, depth and material of ALL utilities prior to construction. Contractor is liable and responsible for any and all utilities that are encountered and modifications as necessary.

4. All work and gutter are the minimum of 24" below the ASPHA Type C-2 surface ASPHA Type C-2 "dry wet" (1) over. All work and gutter shall extend above and below the ASPHA Type C-2 surface back and are gutter

3. A handicap parking sign, 5' above first grade, shall be placed at the head of the parking space. (MUCO Sign No. 41-6). Handicap parking space shall be a minimum 24' deep.

22. Not precisely about the 1st of these courts (APRA type 1) and 2nd of justice courts (APRA type 2) are computed subgrade.

LOCAL DEMONSTRATION
Southeast Corner of First Floor of Existing
Building (also above Westfront)
Date = 1022.30

CONTOUR INTERVAL = 1'

... DISTANCE FROM

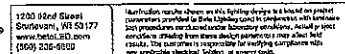
-----952----- PROPOSED FISH DAM
 OOOOO BENTON FENCE (N. S.)
 ----- SPARKS DRAINAGE / L.

APRA FILE FIVE CC-3
CP OUT CONTS @ GUT

۱- مقدمه
 ۲- مقدمه
 ۳- مقدمه
 ۴- مقدمه
 ۵- مقدمه

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Planning & Development



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

