

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 899 SW LEMANS LANE, IN DISTRICT CP-2, FOR LA FUENTE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #2013-031 submitted by Jimmy Mac Construction, LLC, requesting approval of a preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 899 SW Lemans Lane, for approval of a conditional material for La Fuente's patio cover, was referred to the Planning Commission to hold a public hearing; 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 23, 2013 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 2, 2013, 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 for the sole purpose of providing for a vinyl patio cover as a conditional material is hereby approved in District CP-2 on the following described property:

LOT 6, RAINTREE LAKE VILLAGE, LOTS 1-6 AND TRACT A.

SECTION 2. That the following conditions of approval apply:

1. The existing striped orange and yellow vinyl structure cover shall be replaced with a vinyl structure cover that has a roof of a solid moss green in color and sides a solid sand in color.

SECTION 3. That the development shall be in accordance with the location map labeled "Exhibit 18", and the color chart showing a moss green color, both of which are appended hereto and made a part hereof.

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, enacted by Ordinance No. 5209 and amended from time to time.

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 May, 2013.


Mayor Randall L. Rhoads

ATTEST:


City Clerk Denise R. Chisum

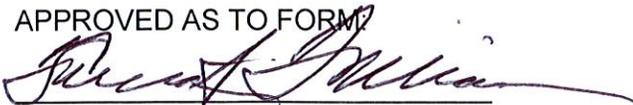
APPROVED by the Mayor of said city this 7th day of May, 2013.

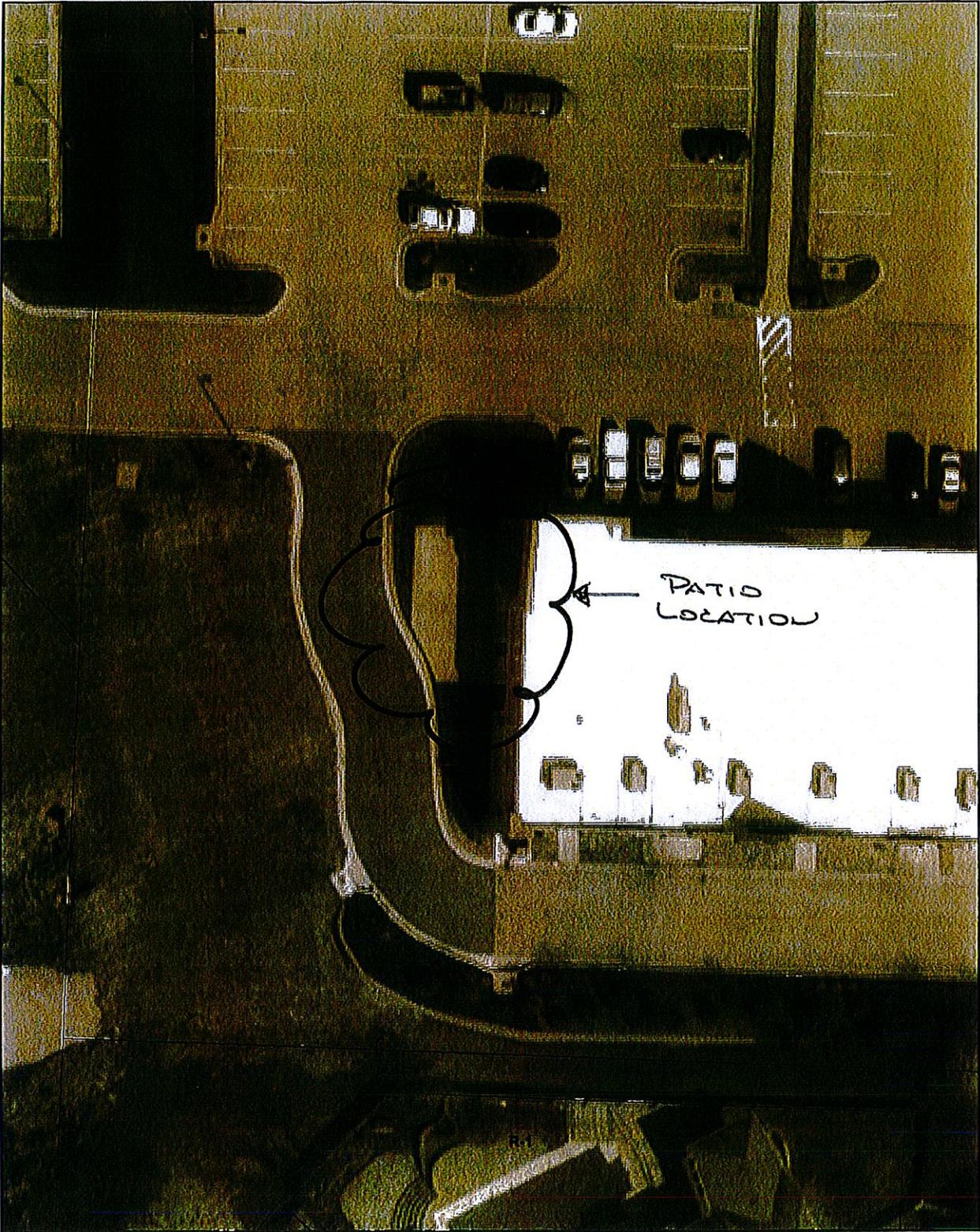

Mayor Randall L. Rhoads

ATTEST:


City Clerk Denise R. Chisum

APPROVED AS TO FORM


City Attorney Teresa S. Williams



502-2171 Light Grey

502-1499 Differential

502-2168 Alu

502-2167 Dark

502-8450 Black

502-8102 White

502-2144 Ivory

502-2135 Sand

502-2141 Camel

502-2012 Putty

502-1013 Medium Yellow

502-2166 Sunflower

502-8204 Orange

502-2173 Tuscan

502-2172 Carrot

502-8341 Champagne

502-8861 Vanilla

502-2151 Pink

502-2150 Fuchsia

502-8255 Dark Red

502-2163 Mauve

502-2164 Lavender

502-2165 Violet

502-8284 Bordeaux

502-2137 Brown

502-2159 Cornflower Blue

502-2160 Lagoon Blue

502-2161 Blue

502-1125 Marine Blue

502-2162 Slate

502-2157 Lime Green

502-2158 Moss Green

502-8056 Tennis Green

502-2166 Spruce

502-2145 Gold

502-2138 Metallic Taupe

502-2149 Metallic Scarab

502-2136 Metallic Onyx

**Appl. #PL2013-031- PRELIM DEV PLAN
899 SW Lemans Ln,
La Fuente Mexican Restaurant;
Jimmy Mac Construction, applicant**

