

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN LOCATED AT 1103 SW OLDHAM PKWY, PROPOSED CHIPOTLE, 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 #PL2021-181 submitted by RED Architecture and Planning requesting approval of a preliminary development plan in District CP-2 (Planned Community Commercial District) on land located at 1103 SW Oldham 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 July 22, 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 August 18, 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 1, PIZZA HUT ADDITION, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof, EXCEPT that part conveyed to the City of Lee's Summit by the Right-of-Way Deed recorded as Document No. I-667242, in Book I-1500, Page 1736.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the requirement limiting the use of metal to an incidental role, to allow metal as a primary exterior building material as depicted on the elevations dated June 21, 2021.
2. A modification shall be granted to the requirement for a 8'-10' masonry wall around the outdoor patio area, to allow no wall, but with landscaping as depicted on the landscape plan dated June 21, 2021.
3. An Alternate Parking Plan allowing a total of 25 parking spaces to serve the proposed restaurant shall be approved as part of the preliminary development plan.

4. Development shall be in accordance with the preliminary development plan consisting of 6 pages:
 - Cover Sheet and general notes, June 21, 2021
 - Site Plan, dated June 21, 2021
 - Site Grading, dated June 21, 2021
 - Miscellaneous Detail, dated June 21, 2021
 - Landscape Plan, dated June 21, 2021 – 2 pages
 - Architectural Elevations, dated June 21, 2021 – 6 pages
5. A solid 6'-tall wood fence shall be extended along the driveway to the rear exit of the property to serve as a screen for the abutting residential property.

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.

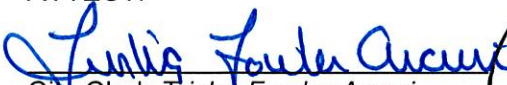
SECTION 5. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this 24th day of August, 2021.



Mayor William A. Baird

ATTEST:



City Clerk Trisha Fowler Arcuri



APPROVED by the Mayor of said city this 26th day of August, 2021.



Mayor William A. Baird

ATTEST:



City Clerk Trisha Fowler Arcuri



APPROVED AS TO FORM:



City Attorney Brian W. Head

USE THE FOLLOWING TOLL FREE PHONE NUMBER PROVIDED BY "MISSOURI ONE
3-RITE". THIS PHONE NUMBER IS APPLICABLE ANYWHERE WITHIN THE STATE OF
MISSOURI. IN THE EVENT OF WORK, THE CONTRACTOR SHALL NOTIFY ALL THOSE COMPANIES
IN THE NEAR VICINITY OF THE CONSTRUCTION TO BE PERFORMED.
FOR STRUCTURES, SHOP DRAWING SHALL BE SUBMITTED TO THE DESIGN

OTECT ALL MAJOR TREES FROM DAMAGE. NO TREE SHALL BE REMOVED
E OWNER, UNLESS SHOWN OTHERWISE.

OPERATIONS AND DISPOSAL OF ALL DEBRIS THEREFROM SHALL BE PERFORMED IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES.

TING FROM THE PROJECT SHALL BE DISPOSED OF OFF-SITE BY THE
 TED BY THE OWNER.

UNCLASSIFIED. NO SEPARATE PAYMENT WILL BE MADE FOR ROCK

CONTROL THE EROSION AND SILTATION DURING ALL PHASES OF CONSTRUCTION,
 TS CLEAN OF MUD AND DEBRIS.

NS, UTILITY VALVES AND METER PITS TO BE ADJUSTED OR REBUILT TO GRADE

CONCRETE STRUCTURES, REGARDLESS OF THE TYPE OR LOCATION, SHALL BE FULLY COMPACTED AND CONSOLIDATED; SHALL BE FREE FROM MUCK AND MUD; STABLE TO REMAIN FIRM AND INTACT UNDER THE FEET OF THE WORKMEN OR 33GRADE SURFACING, LAYING REINFORCING STEEL, AND DEPOSITING . CASES WHERE SUBSOIL IS MUCKY OR WORKS INTO MUD OR MUCK DURING COURSE OF EITHER CONCRETE OR ROCK SHALL BE PLACED BELOW SUBGRADE R WORKING AND FOR PLACING THE FLOOR SLAB.

CONTACT PUBLIC WORKS INSPECTIONS AT: 816-969-1800 TO OBTAIN A PUBLIC
MIT. A MINIMUM 48 HOUR NOTICE SHALL BE GIVEN PRIOR TO PERMIT ISSUANCE.
CONTACT THE CITY'S EROSION CONTROL SPECIALIST AT: 816-969-1800 PRIOR TO

CONTACT THE RIGHT OF WAY INSPECTOR AT 816-969-1800 PRIOR TO ANY LAND THIN THE RIGHT OF WAY. THESE ACTIVITIES MAY REQUIRE A PERMIT.

PROVIDE AND MAINTAIN ALL TRAFFIC HANDLING MEASURES NECESSARY TO
PUBLIC IS PROTECTED AT ALL TIMES. TRAFFIC CONTROL SHALL CONFORM TO
TRAFFIC CONTROL DEVICES (MUTCD-LATEST EDITION).

ALS SHALL HAVE A TRENCH CHECK, CONSISTING OF FLOWABLE BACKFILL, JUNCTION. TRENCH CHECK SHALL EXTEND TO BOTTOM OF TRENCH, TO WIDTH OF PIPE, FOR A MINIMUM LENGTH OF 12 INCHES. TRENCH CHECK SHALL BE 30M SANITARY MAIN.

4. PROPOSED CONTOURS ARE TO APPROXIMATE FINISHED GRADE.
5. UNLESS OTHERWISE NOTED, PAYMENT FOR EARTHWORK SHALL BE BASED ON THE VOLUME OF EARTHWORK SHOWN TO BE REMOVED OR PLACED.
6. UNLESS OTHERWISE NOTED, ALL EARTHWORK IS CONSIDERED TO BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITION.

7. PRIOR TO EARTHWORK ACTIVITIES, PRE-DISTURBANCE EROSION CONTROL MEASURES SHALL BE IN PLACE PER THE STORM WATER POLLUTION PREVENTION CONTROL PLAN PREPARED FOR THIS SITE.

8. ALL TOPSOIL SHALL BE STRIPPED FROM ALL AREAS TO BE G SITE AT AN AREA SPECIFIED BY THE PROJECT OWNER OR HI TRASH, TREES, BRUSH, TREE ROOTS AND LIMBS, ROCK FRAI DELETERIOUS MATERIALS SHALL BE REMOVED AND PROPEF THE OWNER OR HIS APPOINTED REPRESENTATIVE.

9. UNLESS OTHERWISE SPECIFIED IN THE GEOTECHNICAL REPORT, THE SUBGRADE SHALL BE COMPACTED TO 95-PERCENT OF MAXIMUM PROCTOR TEST (AASHTO T99/ASTM 698).

10. SUBGRADE FOR PAVEMENTS SHALL BE PROOF-ROLLED PRICE LOADED TANDEM AXLE DUMP TRUCK. ALL AREAS EXHIBITING REMOVED, FILLED AND COMPACTED WITH SUITABLE MATERIAL.

11. RESULTS ARE ACHIEVED AND FINAL APPROVAL HAS BEEN OBTAINED FROM THE STATE OF CALIFORNIA, THE SUBGRADE FOR BUILDING PAD SHALL INCLUDE A MINIMUM OF 18" OF 2" MAXIMUM SIZE GRANULAR MATERIAL, OR AS IDENTIFIED IN THE SITE SPECIFIC GEOTECHNICAL REPORT.

12. FILL MATERIALS SHALL BE PER GEOTECHNICAL REPORT AND SHALL BE APPROVED BY THE STATE OF CALIFORNIA.

OR TOPSOIL. ALL FILLS PLACED ON SLOPES GREATER THAN 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REDISTRIBUTING THE CONTRACTOR SHALL BE RESPONSIBLE FOR REDISTRIBUTING LANDSCAPED AREAS TO A MINIMUM DEPTH OF 6-INCHES BELOW THE FINISHED GRADE. ALL AREAS SHALL BE GRADED FOR POSITIVE DRAINAGE. UNLESS OTHERWISE SPECIFIED, ALL GRADES SHALL APPLY:

A. TURF AREAS – 2.5% MINIMUM, 4H:1V MAXIMUM

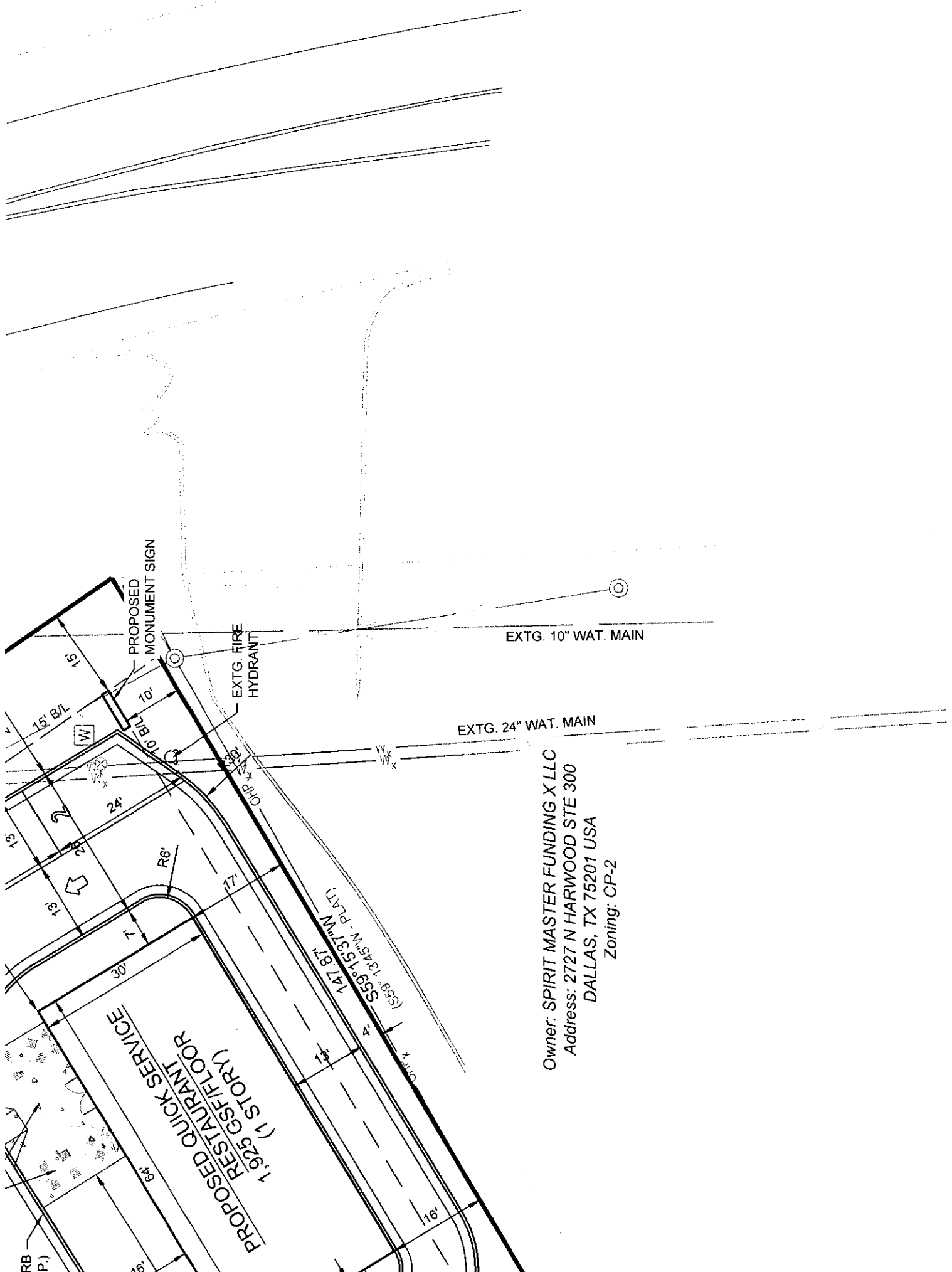
B. PAVED AREAS – 1.2% MINIMUM, 5% MAXIMUM

15. A.D.A. PARKING STALLS SHALL NOT BE SLOPED GREATER THAN PER A.D.A. REQUIREMENTS

16. ALL DISTURBED AREAS SHALL BE FERTILIZED, SEEDED AND ACTIVITIES HAVE CEASED. SEEDING SHALL BE PER THE ERO LANDSCAPE PLAN. IF NOT SPECIFIED SEEDING SHALL BE PER OTHERWISE NOTED. SEEDING SHALL BE SUBSIDIARY TO THE GRADING ACTIVITIES.

17. ALL DISTURBED AREAS IN THE RIGHT-OF-WAY SHALL BE SOIL UNDERDRAINS ARE RECOMMENDED FOR ALL PAVED AREAS LANDSCAPED BEDS.
- 18.

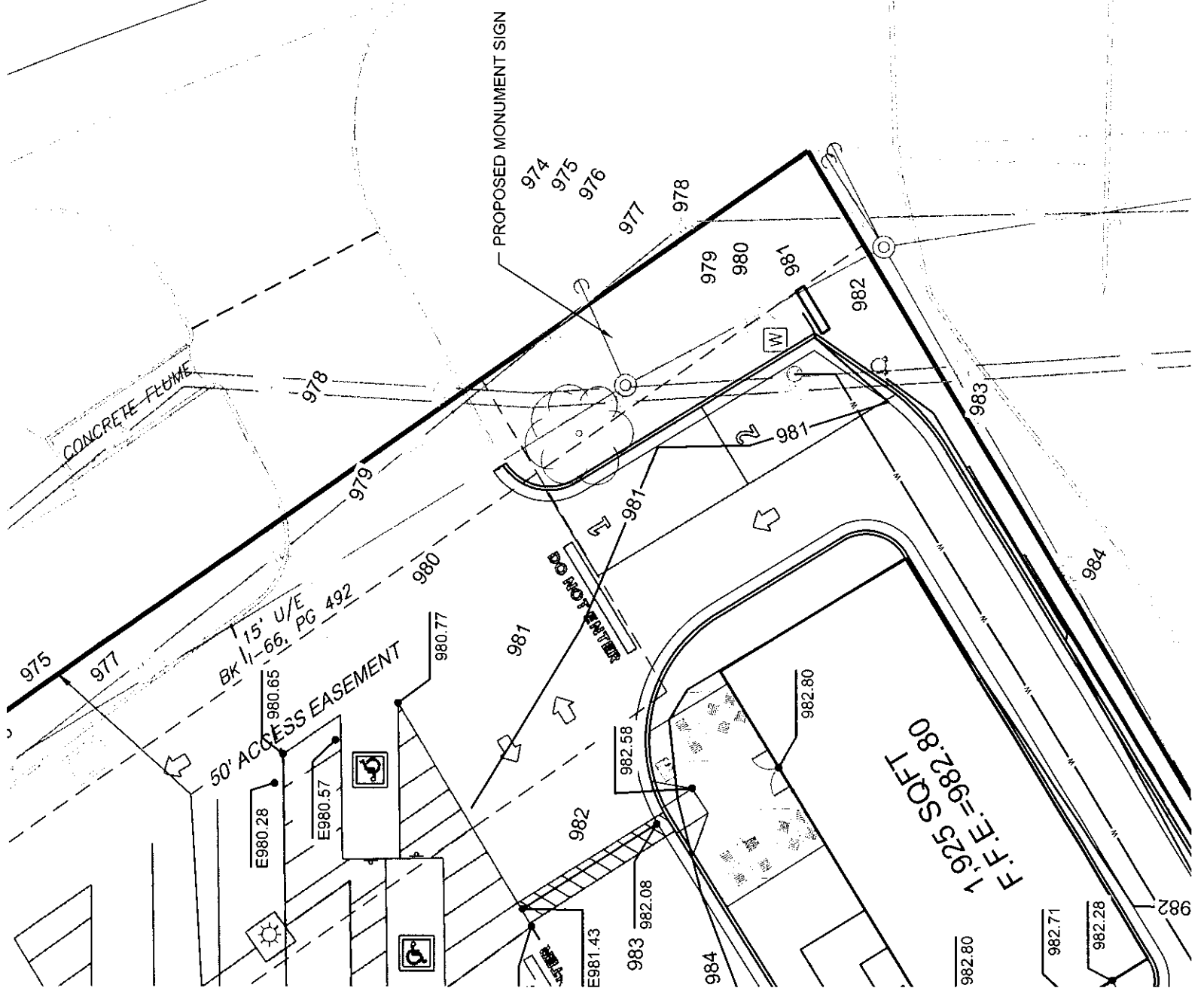
19. CONTRACTOR SHALL ADHERE TO THE REPORTING REQUIRE POLLUTION PREVENTION PLAN (SWPPP) PREPARED FOR THE DEVICES SHALL BE PROPERLY MAINTAINED AND KEPT CLEAR ORDER. ADDITIONAL EROSION AND SEDIMENT CONTROL ME,



Owner: SPIRIT MASTER FUNDING X LLC
Address: 2727 N HARWOOD STE 300
DALLAS, TX 75201 USA
Zoning: CP-2

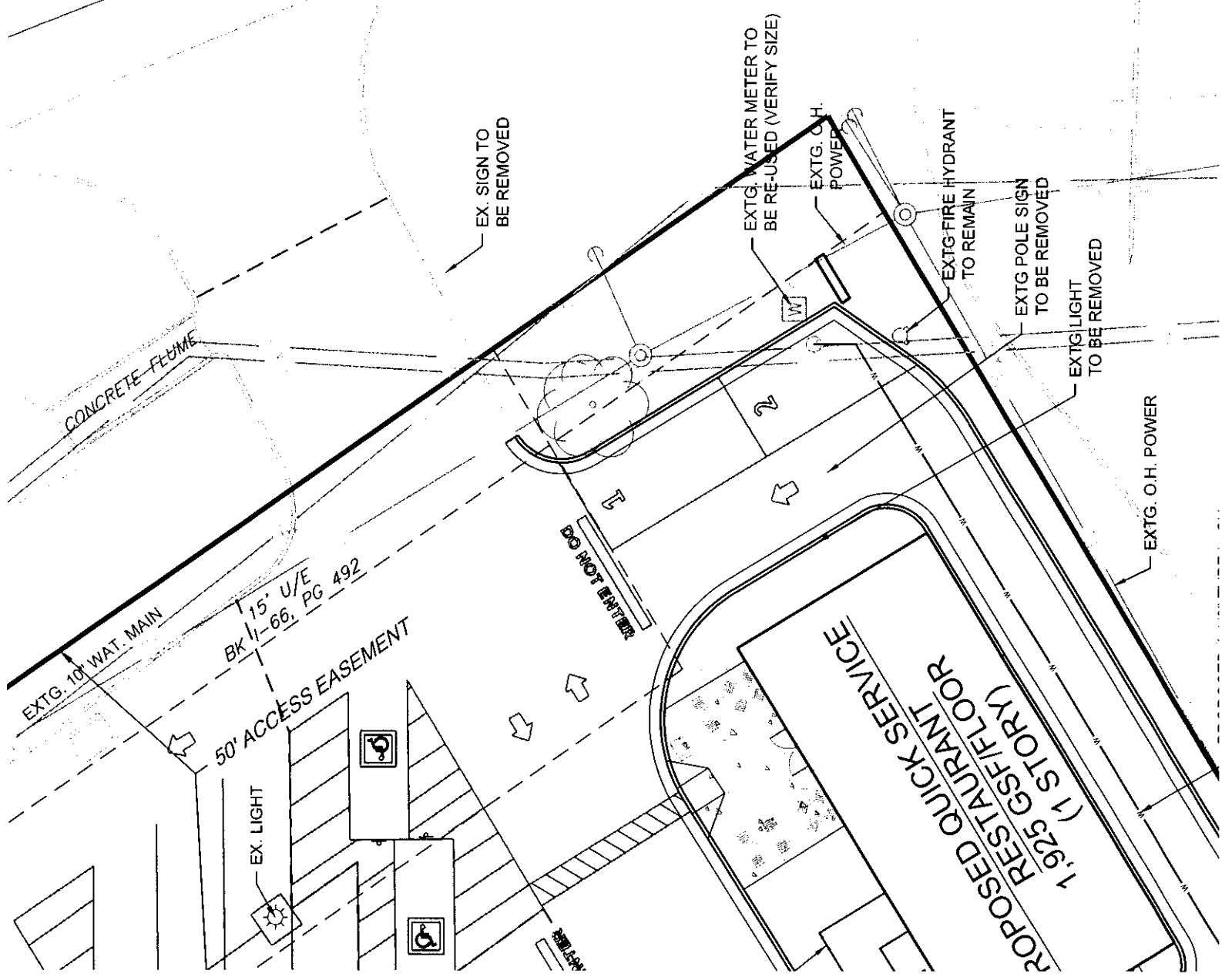
D. 50
SS
(R ROAD)

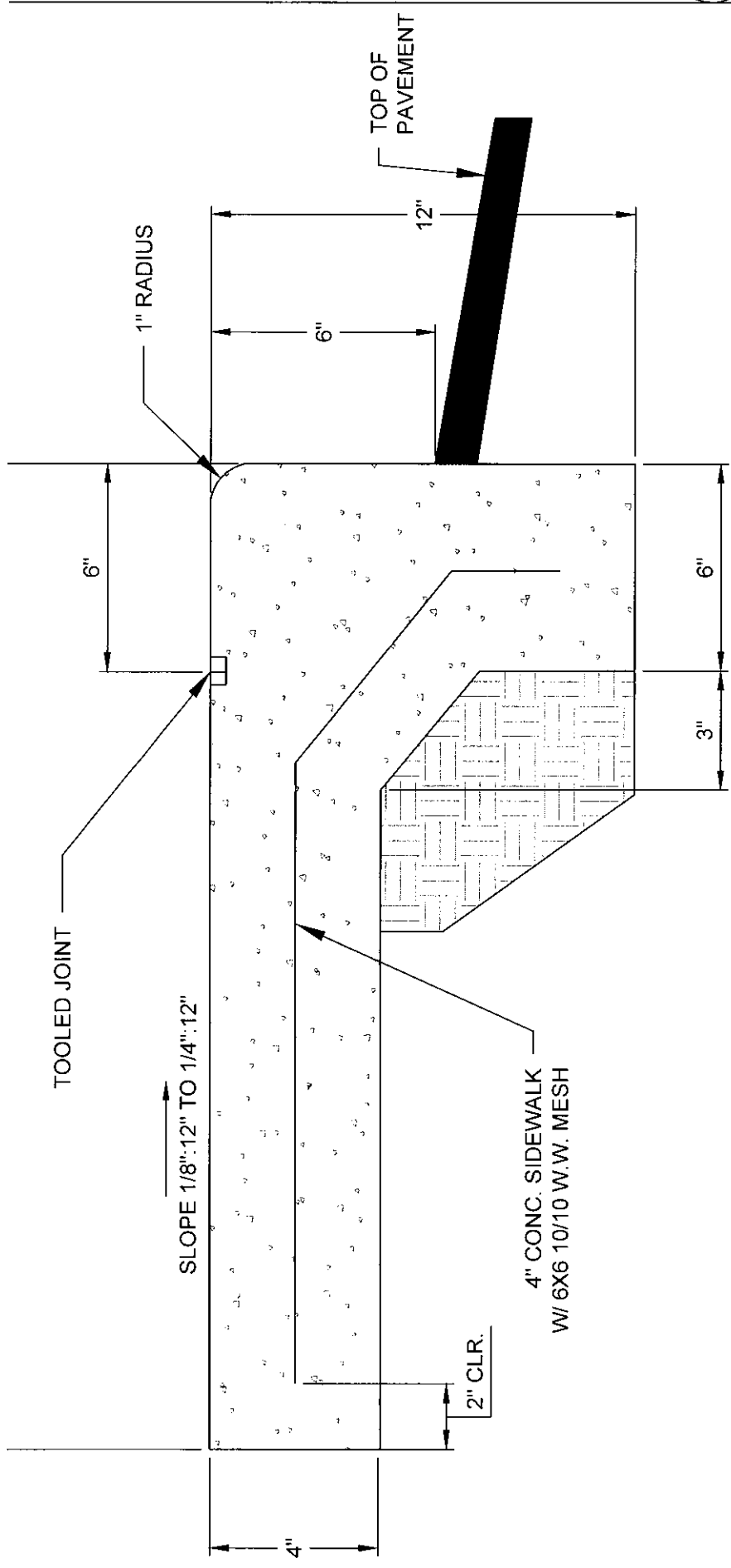
OLDHAM PARKWAY



D. 50
SS
(R ROAD)

OLDHAM PARKWAY



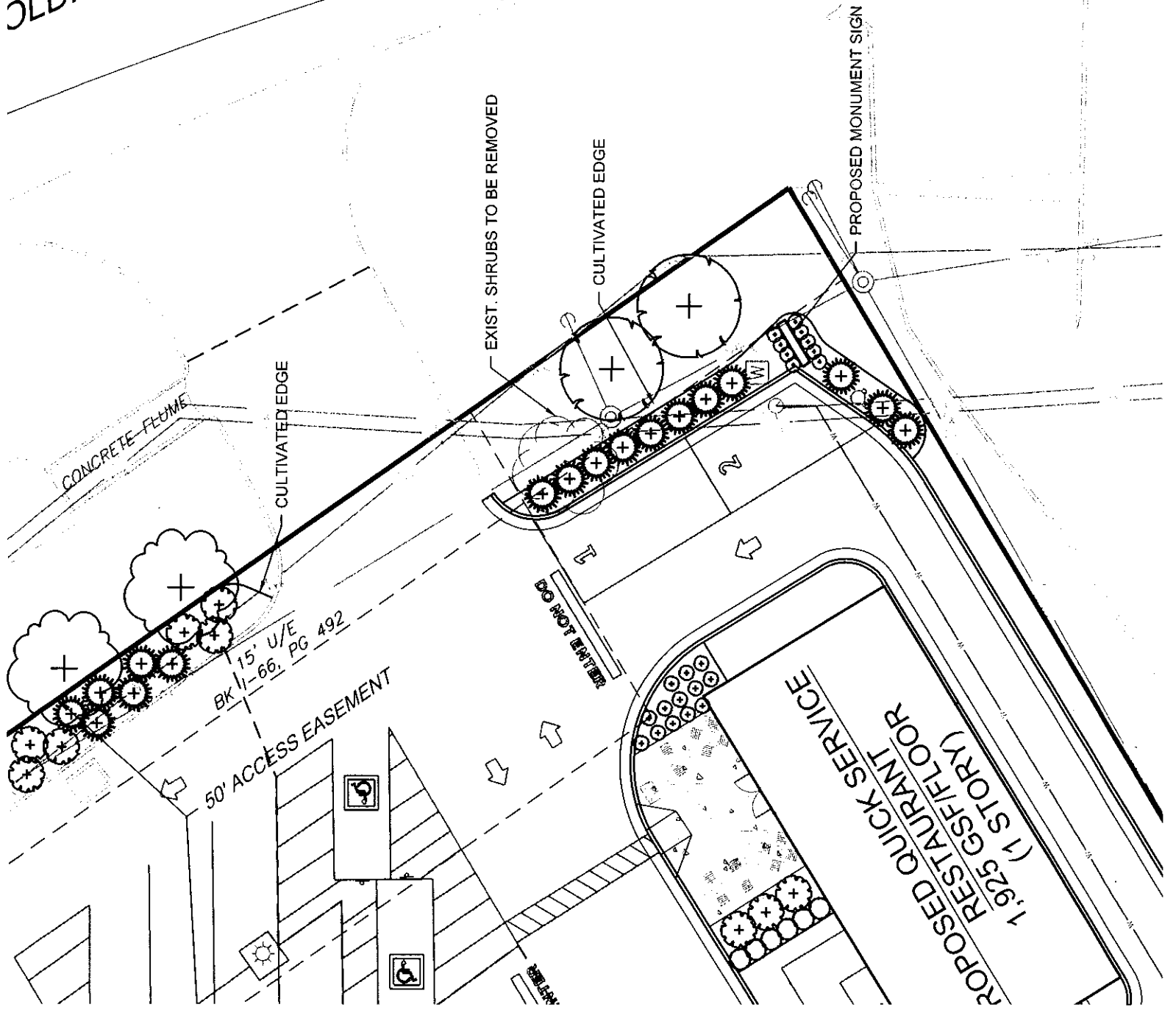


TYPICAL - INTEGRAL CONCRETE WALK/CURB DETAIL

NOT TO SCALE

0.50
SS
(R ROAD)

OLDHAM PARKWAY



PL2021-181 Commercial Preliminary Development Plan

1103 SW Oldham Pkwy

