

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A CONCRETE BATCH PLANT FACILITY IN DISTRICT PI ON LAND LOCATED AT 2250 NW QUARRY PARK RD FOR A PERIOD OF TEN (10) YEARS, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-176, submitted by Clarkson Construction Company, requesting a special use permit for a concrete batch plant facility in District PI on land located at 2250 NW Quarry Park Rd, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on December 12, 2024, 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 January 7, 2025, 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 a special use permit is hereby approved in District PI on the following described property:

*BEGINNING 56.53 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 48, RANGE 32; THENCE NORTH ALONG THE ½ SECTION LINE 300 FEET; THENCE SOUTH 57 DEGREES EAST 865.65 FEET; THENCE SOUTH 300 FEET; THENCE NORTH 57 DEGREES WEST 865.65 FEET TO THE POINT OF BEGINNING.*

SECTION 2. That the following conditions of approval apply:

1. The special use permit to operate a concrete batch plant shall be granted for a period of ten (10) years.
2. The Applicant shall enter into a mutually satisfactory road maintenance agreement with the City for road maintenance from the Applicant's access point onto and including Quarry Park Road to the east.

SECTION 3. Use of the property subject to the special use permit shall be in accordance with the site plan appended hereto as Attachment A.

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.

**SUBSTITUTE BILL NO. 25-001****ORDINANCE NO. 10048**

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

SECTION 6. 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 14<sup>th</sup> day of January, 2025.

ATTEST:

Deputy Stacy Lombardo  
City Clerk ~~Trisha Fowler Arcuri~~



William A. Baird  
Mayor William A. Baird

APPROVED by the Mayor of said city this 16<sup>th</sup> day of January, 2025.

William A. Baird  
Mayor William A. Baird

ATTEST:

Deputy Stacy Lombardo  
City Clerk ~~Trisha Fowler Arcuri~~

APPROVED AS TO FORM:

Brian W. Head  
City Attorney Brian W. Head

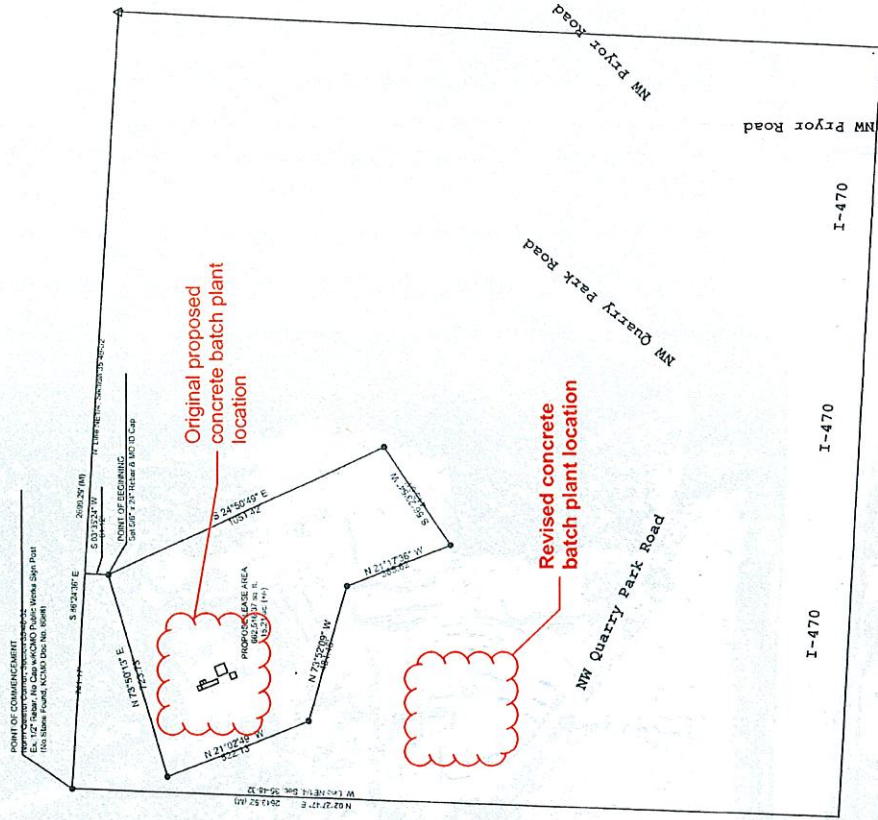






A tract of land in the Northeast Quarter of Section 35, Township 48 North, Range 32 West, in the City of Lee's Summit, Jackson County, Missouri, this description being written by Joseph B. Strick, MO PLS 2001015274 on June 29, 2023, and being more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of said Section 35; thence South 86°24'36" East, along the North line of said Northeast Quarter (basis of bearings) a distance of 741.17 feet; thence South 03°35'24" West, perpendicularly departing said North line, a distance of 81.12 feet to a 5/8" x 24" Rebar and Missouri 20010157274 Cap set at the POINT OF BEGINNING; thence South 24°50'49" East, a distance of 1051.42 feet to a 5/8" x 24" Rebar and Missouri 20010157274 Cap set; thence South 56°23'54" West, a distance of 413.01 feet to a 5/8" x 24" Rebar and Missouri 20010157274 Cap set; thence North 21°17'36" West, a distance of 385.62 feet to a 5/8" x 24" Rebar and Missouri 20010157274 Cap set; thence North 73°52'09" West, a distance of 484.45 feet to a 5/8" x 24" Rebar and Missouri 20010157274 Cap set; thence North 21°02'49" West, a distance of 522.13 feet to a 5/8" x 24" Rebar and Missouri 20010157274 Cap; thence North 73°50'13" East, a distance of 723.73 feet to the POINT OF BEGINNING and containing 662.51637 square feet of 15.21 acres, more or less.



SITE PLAN  
SCALE: 1"=100'