

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY AT 4505 S. LITTLE BLUE PARKWAY IN DISTRICT R-18/PUD (MEDIUM DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) IN INDEPENDENCE, MISSOURI.

WHEREAS, the application submitted by Jake Wimmer, for Mid-Continent Public Library requesting approval of a preliminary development plan for a dialysis center in District R-18/PUD (Medium Density Residential/Planned Unit Development) on property at 4505 S. Little Blue Parkway was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a preliminary development plan for a dialysis center 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 request on October 25, 2022, and rendered a report to the City Council recommending that the preliminary development plan be approved, with the conditions listed below, by a vote of 6-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on December 3, 2022, and rendered a decision to approve the preliminary development plan for the said property with the conditions listed below; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the preliminary development plan was consistent with the review criteria in Section 14-703-05; and,

WHEREAS, no legal protest petitions were signed, acknowledged, and presented against the application.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That a preliminary development plan is hereby approved in District R-18/PUD (Medium Density Residential/Planned Unit Development) on the following legally described tracts of real estate:

SEC-28 TWP-49 RNG-31--- PT OF S 1/2 NW 1/4 LY S OF SELSA RD AND W OF HEARTLAND DR

SECTION 2. That the following conditions of approval apply:

1. A new sidewalk needs to extend to the end of property/parcel line (Valley View Road).
2. The sidewalk needs to tie into existing sidewalk along Little Blue Parkway. Please move it closer to the public right of way line.
3. Independence Power & Light has no way to provide service currently due to the lack of transformer stock; shipment time for new inventory is indefinite.
4. Remove the southern drive entrance into the site.

5. On the South Elevation 2, provide a faux window or something here to break up the blank wall expanse.
6. All roof mounted equipment must be screened by a parapet equal to the height of the equipment.
7. On the final landscape plans, include a table listing required plantings along with the plantings shown on the plan.
8. The trash enclosure must be designed/constructed per City Code Section 14-503-08 and relocated to the rear of the site as much as possible.
9. This preliminary development plan has not been reviewed for final engineering design compliance. All development engineering must be designed in accordance with City of Independence standards and specifications prior to approval of the final development plan.

SECTION 3. That the development shall be in accordance with the attached preliminary development plan and building elevations as described in the staff report.

SECTION 4. Nonseverability. All provisions of this ordinance are so essentially, and inseparable 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 judgement 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 judgement.

SECTION 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 6. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2022, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

PDP Case #22-810-02
4505 S. Little Blue Parkway
11/08/22 – JF

City Manager