

BILL NO. 17-75

AN ORDINANCE APPROVING APPLICATION #PL2016-206 – REZONING FROM R-1 AND CP-2 TO PMIX – APPROXIMATELY 39 ACRES GENERALLY BOUNDED BY I-470 ON THE NORTH, NW PRYOR ROAD ON THE EAST, AND NW LOWENSTEIN DRIVE ON THE SOUTHWEST KNOWN AS WEST PRYOR VILLAGE ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-206 requesting a change in zoning classification from Districts CP-2 (Planned Community Commercial District), and R-1 (Single Family District) to District PMIX (Planned Mixed Use District) on approximately 70 acres generally bounded by I-470 on the north, NW Pryor road on the east, and NW Lowenstein Drive on the southwest known as West Pryor Village and requesting approval of a conceptual development plan for the rezoned PMIX area, submitted by the City of Lee's Summit, 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 on the West Pryor Village rezoning and conceptual development master plan on January 24, 2017, recommending approval of the rezoning and an amended conceptual plan removing the two westward multi-family buildings; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on March 9, 2017, and rendered a decision to rezone only the 39 acres adjacent to Pryor Road of the West Pryor Village Area and requested staff to bring back a revised conceptual development master plan for the 39 acres being rezoned.

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 Districts CP-2 and R-1 to District PMIX:

Generally bounded by I-470 on the north, NW Pryor Road on the east, and NW Lowenstein Drive on the southwest, as shown on attached map (Exhibit A).

SECTION 2. That the Governing Body concludes that the rezoning will provide sustainable value to the City, and further the goals, spirit and intent of the Unified Development Ordinance.

SECTION 3. Nonseverability. That 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 the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

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..

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this ____ day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*