

BILL NO. 23-191

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR STREETS OF WEST PRYOR LOTS 11 AND 13 LOCATED AT 1000 NW PRYOR RD AND 1020 NW PRYOR RD, ALL 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 #PL2023-151 submitted by Streets of West Pryor, LLC, requesting approval of a preliminary development plan in District PMIX on land located at 1000 NW Pryor Rd and 1020 NW Pryor Rd 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 public hearings for the consideration of the preliminary development plan on August 24, 2023, and September 28, 2023, 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 October 10, 2023, 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 is hereby approved on the following described property:

All of Lots 11 & 13, Streets of West Pryor, Lee's Summit, Jackson County, Missouri.

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan signed and sealed September 21, 2023; the Lot 11 building elevations dated July 27, 2023, and August 4, 2023; and the Lot 13 building elevations dated July 21, 2023.
2. A maximum of four (4) wall signs shall be allowed on both the carwash tunnel building and gas pump island canopy on Lot 11. Signage shall comply with all other sign standards (e.g. maximum allowable sign letter height, sign area, etc.) of the PMIX zoning district, except that the wall sign on the south-facing architectural feature located on the east carwash building façade shall be allowed a maximum 51.1% sign area as depicted on the building elevations dated August 17, 2023.
3. A maximum of three (3) wall signs shall be allowed on the two endcap tenant spaces for the multi-tenant building on Lot 13. Signage shall comply with all other sign standards (e.g. maximum allowable sign letter height, sign area, etc.) of the PMIX zoning district.

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SECTION 3. Development shall be in accordance with the preliminary development plan dated September 21, 2023; Waterway (Lot 11) building elevations dated July 27, 2023, and August 4, 2023; and multi-tenant (Lot 13) building elevations dated July 21, 2023, appended hereto as Attachment A, Attachment B and Attachment C, respectively.

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.

SECTION 5. 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 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 _____ day of _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*