

## **BILL NO. 17-59**

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AN ORDINANCE APPROVING APPLICATION #PL2016-206 – REZONING FROM R-1 AND CP-2 TO PMIX AND CONCEPTUAL DEVELOPMENT PLAN – 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 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; 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 adopt the West Pryor Village rezoning and conceptual 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 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 and more legally described as:*

*(See Exhibit A)*

SECTION 2. That the conceptual development plan as appended hereto and made a part hereof is hereby adopted and shall serve as the framework for future development within this area. Design standards will be brought forward at a later date to establish the development criteria and specific uses for the West Pryor Village Conceptual Development Plan.

SECTION 3. That the following conditions shall apply:

1. A preliminary development plan shall be required for any phase of the conceptual development plan.

SECTION 4. That the Governing Body concludes that the rezoning and conceptual development plan will provide sustainable value to the City, incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent through the

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proposed project, effectively utilize the land upon which development is proposed, and further the goals, spirit and intent of the Unified Development Ordinance.

SECTION 5. 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 6. 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 7. That this ordinance shall be in full force and effect from and after the date of March 2, 2017.

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.

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Mayor *Randall L. Rhoads*

ATTEST:

\_\_\_\_\_  
City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*