

BILL NO. 18-85

AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-1 TO DISTRICT AG LOCATED AT 3530 SW Pryor Rd., IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-042 submitted by Paula Diehl, requesting approval of a rezoning from District R-1 (Single-Family Residential) to District AG (Agricultural) on land located at 3530 SW 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 rezoning 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 a public hearing for the consideration of the rezoning on May 8, 2018, and rendered a report to the City Council recommending that the rezoning be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on June 7, 2018, and rendered a decision to approve the rezoning 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 rezoning is hereby approved on the following described property:

LOT 1, DRAKE DOWNS, LOTS 1-3

SECTION 2. That the following conditions of approval apply:

1. The Rezoning will not take effect until the subject property (3530 SW Pryor Rd) and the abutting 11-acre parcel (3420 SW Pryor Rd) are platted into one lot.

SECTION 3. 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 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 not be in effect until the subject property and the abutting eleven acre parcel addressed as 3420 SW Pryor Road are platted into one lot and said plat is filed in the Office of the Recorder of Jackson County, Missouri and if such property is not combined into one lot within 365 days of the Council voting after second reading, this Ordinance shall be null and void and of no effect.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2018.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2018.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*