

## **BILL NO. 22-197**

---

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 1010 NW PRYOR RD IN DISTRICT PMIX, LOT 12, STREETS OF WEST PRYOR, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 33, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2022-241 submitted by Streets of West Pryor, LLC, requesting approval of a preliminary development plan in District PMIX (Planned Mixed Use District) on land located at 1010 NW Pryor Rd 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 for the consideration of the preliminary development plan on August 25, 2022, 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 September 20, 2022, 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 in District PMIX on the following described property:

*Lot 12, Streets of West Pryor Lots 1 thru 14, Tracts A, B, C, & D*

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan dated July 11, 2022, and the building elevations dated July 14, 2022.
2. Five (5) wall signs and four (4) wall signs shall be approved for the northern tenant space (The Crack Shack) and southern tenant space (Via 313 Pizzeria), respectively, in accordance with the Sign Package dated August 10, 2022, except that painted wall signs (a prohibited sign type under the UDO) shall not be allowed. All signage shall comply with the allowable sign types listed under Article 9 (Signs) of the UDO.

SECTION 3. That development shall be in accordance with the preliminary development plan dated July 11, 2022, building elevations dated of July 14, 2022, and sign package dated August 10, 2022, as conditioned above and appended hereto as Attachment A, Attachment B and Attachment C, respectively, and made a part hereof.

SECTION 4. That in granting modifications listed herein, the Governing Body concludes that the development will provide sustainable value to the City, incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent through the proposed project, effectively utilize the land upon which the development is proposed, and further the goals, spirit and intent of the Unified Development Ordinance.

**BILL NO. 22-197**

---

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 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 \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
Mayor *William A. Baird*

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
Mayor *William A. Baird*

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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