

## **AMENDED BILL NO. 24-98**

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AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR AN EQUIPMENT RENTAL FACILITY IN DISTRICT PI (PLANNED INDUSTRIAL) ON LAND LOCATED AT 1100 SE HAMBLIN ROAD, FOR A PERIOD OF TEN (10) YEARS, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-060 submitted by McAdams, requesting approval of a special use permit for an equipment rental facility in District PI on land located at 1100 SE Hamblen 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 request on May 9, 2024, and rendered a report to the City Council containing findings of fact and a recommendation that the special use permit be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on June 4, 2024, and rendered a decision to grant said special use permit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That a special use permit is hereby approved in District PI on the following described property:

*AUCTION TRANSPORT OF KANSAS CITY LOT 1---LOT 1*

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the minimum 30' display area setback requirements from all property lines, to allow 0' setbacks from the west and south property lines.
2. A modification shall be granted to the condition that no fencing is permitted in the area forward of the main building , to allow for the existing fencing along the south property line to be forward of the building.
3. A modification shall be granted to the requirement for paved display and storage areas, to allow the use of the existing gravel lot as a display and storage area.
4. The special use permit shall be granted for a period of ten (10) years from the date of approval.
5. Additional landscape screening shall be planted along the frontage of the property adjacent to SE Hamblen Road to be a combination of deciduous and evergreen vegetation.

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.

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SECTION 4. 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 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.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2024

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Mayor William A. Baird

ATTEST:

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

APPROVED AS TO FORM:

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City Attorney *Brian W. Head*