

BILL NO. 17-252

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR IN HOME MASSAGE THERAPY IN DISTRICT R-1 ON LAND LOCATED AT 1508 SW 9TH STREET FOR A PERIOD OF TEN (10) YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-216, submitted by Amy Abbott, requesting a special use permit for in home massage therapy in District R-1 on land located at 1508 SW 9th Street, 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 November 14, 2017, 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 December 7, 2017, 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 the application pursuant to Section 10.400 of the Unified Development Ordinance to allow in home massage therapy in District R-1 with a Special Use Permit is hereby granted for a period of TEN (10) years, with respect to the following described property:

Lot 191, White Ridge Farm, 7th Plat, Lots 178-236, Lee's Summit, Jackson County, Missouri

SECTION 2. That the following conditions of approval apply:

1. Massage therapy to be conducted as a home occupation shall meet all the requirements of Chapter 28 Division 2 of the Code of Ordinances of the City of Lee's Summit.
2. The applicant shall acquire a massage therapist business license with the City of Lee's Summit prior to operating the business at this location.
3. There shall be only one licensed therapist operating out of the home.
4. No more than one room shall be used for massage therapy.
5. Appointments shall be spaced out to eliminate patients waiting for their appointments.
6. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m.
7. A special use permit shall be valid for a period of 10 years.

SECTION 3. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City Unified Development Ordinance, enacted by Ordinance No. 5209, amended from time to time.

SECTION 4. 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.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2017.

ATTEST:

Mayor Randall L. Rhoads

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2017.

ATTEST:

Mayor Randall L. Rhoads

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*