

## **BILL NO. 18-78**

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AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR MAJOR AUTOMOTIVE REPAIR AND AUTOMOTIVE SALES IN DISTRICT CP-2 ON LAND LOCATED AT 1000 SE CENTURY DRIVE FOR A PERIOD OF THIRTEEN AND A HALF (13.5) YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-034, submitted by WRL Investments, requesting a special use permit for major automotive repair and automotive sales in District CP-2 on land located at 1000 SE Century Drive, 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 April 24, 2018, 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 May 17, 2018, 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 9.340 and Section 10.140 of the Unified Development Ordinance to allow major automotive repair and automotive sales in District CP-2 with a Special Use Permit is hereby granted for a period of THIRTEEN AND A HALF YEARS (13.5) years, with respect to the following described property:

*LOT 12, EASTSIDE BUSINESS PARK, Lee's Summit, Jackson County, Missouri*

SECTION 2. That the following conditions of approval apply:

1. Motor vehicles must be set back ten (10) feet from all property lines or in compliance with the district's setback lines, whichever is greater.
2. No fencing is permitted in the area forward of the main building or within the front yard setback if no building exists on the premises.
3. All display or storage area must be paved and the motor vehicles arranged in an orderly manner.
4. All activities are conducted within a building or fully screened area; and
5. Outside storage is confined to the rear of the property and visually screened in accordance with the buffer standards of Article 13.
6. Do not generate noise, odors, or fumes that can be detected beyond the walls of the building in which the use is housed.
7. Overhead doors are to remain closed to eliminate associated noise from such uses that are within 300 feet of any residential district or use. (Ventilation, exhaust and air circulation should be considered by the prospective business operator and/or owner

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when the enactment of the condition is present. Such use may require special fans, air condition, etc.)

8. The special use permit shall be granted for a period of 13.5 years to coincide with the expiration of the special use permit for the existing McCarthy Chevrolet dealership, located at 945 SE Oldham Pkwy and 1025 SE Century Dr., which will run through 11/17/2031.

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.

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.

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Mayor *William A. Baird*

ATTEST:

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City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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City Attorney *Brian Head*