

BILL NO. 24-026

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A MAJOR AUTOMOTIVE REPAIR FACILITY IN DISTRICT PI ON LAND LOCATED AT 1020 SE HAMBLÉN 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 #PL2023-327 submitted by Sam Digiovanni, requesting approval of a special use permit for a major automotive repair facility in District PI on land located at 1020 SE Hamblen Road 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 January 25, 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 February 27, 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:

*RESSURVEY OF LOT 3 OF RESURVEY OF BROWNING INDUSTRIAL PARK
EAST – LOT 9*

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of ten (10) years from the date of approval.

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 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.

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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

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*