

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR VEHICLE SALES IN DISTRICT CP-2 ON LAND LOCATED AT 516 SW 3<sup>RD</sup> STREET FOR A PERIOD OF THREE (3) YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2013-122, submitted by Pinnacle Investments, LLC, requesting a special use permit for vehicle sales in District CP-2 on land located at 516 SW 3<sup>rd</sup> 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 12, 2013, 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 5, 2013, and the City Council has decided 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 Sections 10.450 and 10.050 of the Unified Development Ordinance to allow vehicle sales in District CP-2 with a Special Use Permit is hereby granted for a period of five (5) years, with respect to the following described property:*

*Tract 1:*

*Beginning at a point 503.36 feet West of the Southeast corner of the Southwest Quarter of Section 6, Township 47, Range 31; thence West 58.52 feet; thence North 248.91 feet; thence East 58.52 feet thence South 248.91 feet to the point of beginning, except that part thereof dedicated for right-of-way for 3<sup>rd</sup> Street.*

*Tract 2:*

*Beginning 444.84 feet West of the Southeast corner of the Southwest Quarter of Section 6, Township 47, Range 31; thence West 58.52 feet; thence North 248.91 feet; thence East 58.52 feet; thence South 248.91 feet to the place of beginning, except that part thereof dedicated for right-of-way for 3<sup>rd</sup> Street, all begin in Lee's Summit, Jackson County, Missouri, also described as a Tract of land in the City of Lee's summit, Jackson County, Missouri, more particularly described as follows:*

*Commencing at the Southeast corner of the Southwest Quarter of section 6, Township 47, Range 31; thence South 89 degrees, 54 minutes, 50 seconds West on the South line of said Southwest Quarter a distance of 444.84 feet (444.66 feet measured); thence North 00 degrees, 02 minutes, 35 seconds East, a distance of 26.39 feet to the intersection of the West right-of-way line of Noel Street and the North right-of-way of Southwest 3<sup>rd</sup> Street, said point being the Point of Beginning of the Tract of land to be described; thence North 89 degrees, 55 minutes, 43 seconds West on said North right-of-way line a distance of 117.04 feet; thence North 00 degrees, 02 minutes, 35 seconds East, a distance of 222.19 feet; thence North 889 degrees 54 minutes, 50 seconds a distance of 117.04 feet to a point on the West right-of-way line of said Noel Street; thence South 00 degrees, 02 minutes, 35 seconds West on said West right-of-way line a distance of 222.52 feet to the Point of Beginning*

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of three (3) years.
2. Vehicles for sale shall be located at the rear and side (east) of the building.
3. Vehicles for sale shall be displayed in an orderly manner, in striped spaces.
4. One accessible parking space shall be provided. This change shall be completed within 45 days of the approval of the special use permit.
5. The "pole" from the former pole sign shall be removed. This change shall be completed within 45 days of the approval of the special use permit.
6. The two driveways closest to the southeast corner of the site (one on SW 3<sup>rd</sup> Street and one on SW Noel Street) shall be removed and replaced with curbing, sod and sidewalk in a manner consistent with the adjoining street frontages. These changes shall be completed by May 1, 2014.


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 12<sup>th</sup> day of December, 2013.

  
 Mayor Randall L. Rhoads

ATTEST:

  
 City Clerk Denise R. Chisum

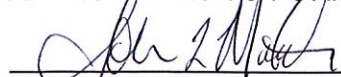
APPROVED by the Mayor of said city this 17<sup>th</sup> day of December, 2013.

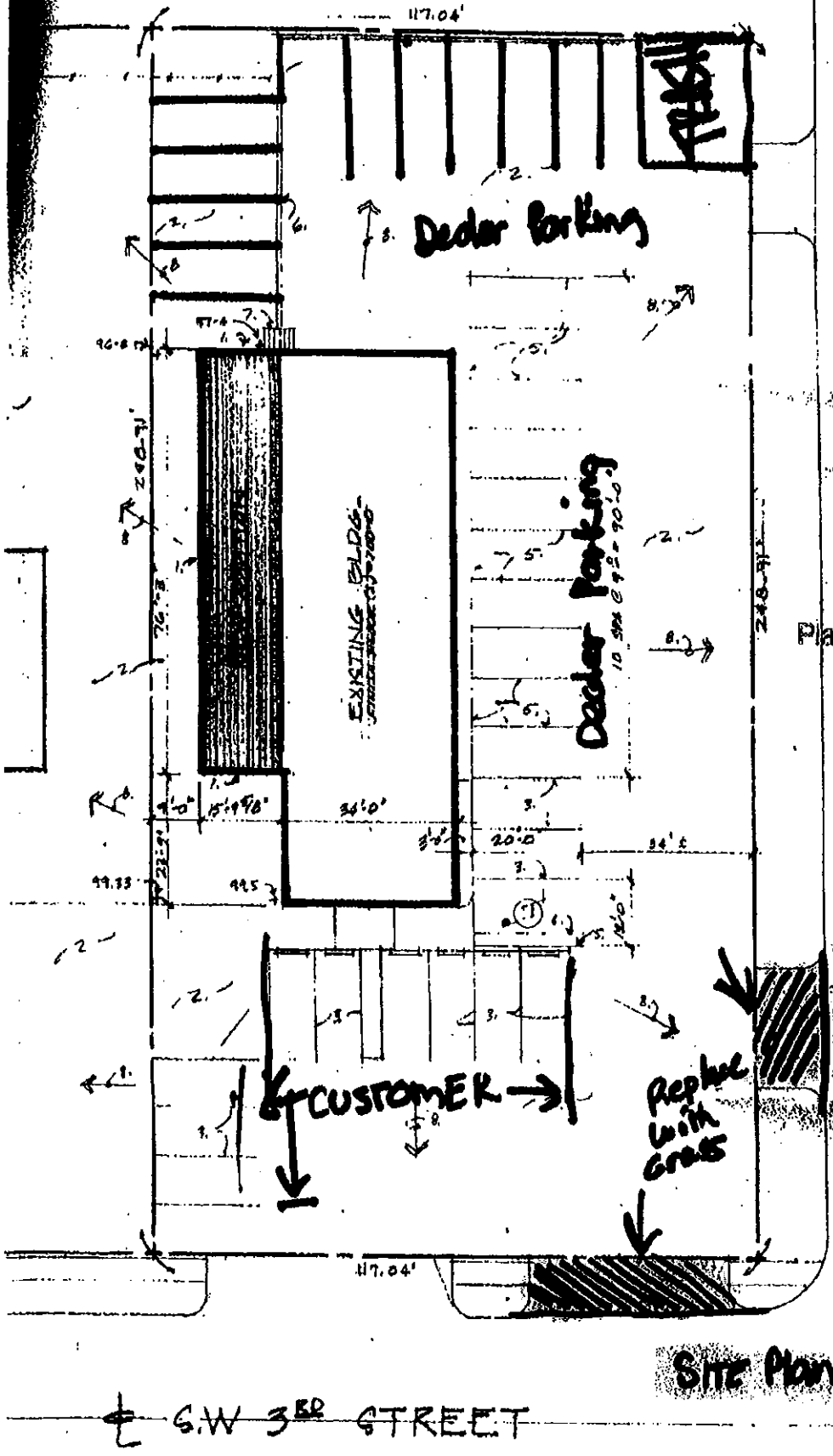
  
 Mayor Randall L. Rhoads

ATTEST:

  
 City Clerk Denise R. Chisum

APPROVED AS TO FORM:

  
 Deputy City Attorney John L. Mautino



WILL BEH PAN - BRAN.  
HARD ST, 2600 FPM C  
120K, 40MAD / SHUTT.

MODINE PA. SO OVER  
EST PRED, 50,000 BTU 11.  
5" & METAL FAB CLASS 2  
WALL 10' BRICK CEIL

LIGHT FIXTURES: LIT  
BY 2 TUBE STRAY,  
10' x 4' x 1.5'

RECEIVED

OCT 10 2013

Planning & Development



MOTORIZED IN  
GRUBBER TID  
EACH USE THE  
THAT CAN

SITE Plan

**PL2013-122 SUP for auto sales  
Pinnacle Investments, LLC  
Pinnacle Investments, LLC, applicant**

