

BILL NO. 16-246

AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR CAR SALES IN DISTRICT CP-2 ON LAND LOCATED AT 516 SW 3RD STREET, PINNACLE AUTO SALES, FOR A PERIOD OF FIVE (5) YEARS FROM THE CURRENT PERMIT EXPIRATION DATE, TO EXPIRE ON DECEMBER 21, 2021, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-168, submitted by Pinnacle Investments, LLC, requesting approval of the special use permit renewal, was referred to the Planning Commission as required by the Unified Development Ordinance No. 5209; and,

WHEREAS, on December 12, 2013, by Ordinance No. 7407, the City Council granted a special use permit for car sales for a period of 3 years on land located at 516 SW 3rd Street, and said permit expires on December 12, 2016.

WHEREAS, Application #PL2016-168, submitted by Pinnacle Auto Sales, LLC, requesting a special use permit renewal for car sales in District CP-2 on land located at 516 SW 3rd 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 October 25, 2016, 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 November 17, 2016, 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 10.450 of the Unified Development Ordinance to allow car sales in District CP-2 with a Special Use Permit is hereby granted for a period of five (5) years from the current permit's expiration date, to expire on December 12, 2021, with respect to the following described property:

Beginning 450 feet west of the SE corner of the SW ¼ of Section 6 Township 47 Range 31, thence North 248.91 feet, thence West 119 feet, thence South 248.91 feet, thence East 119 feet, to the point of beginning.

SECTION 2. That the following conditions of approval apply:

1. The special use permit renewal shall be granted for a period of five (5) years from the current special use permit expiration date, to expire December 12, 2021.
2. Vehicles for sale shall be located at the north (rear) side and east side of the building as depicted on the site plan.

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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's Unified Development Ordinance, enacted by Ordinance No. 5209 and 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 _____, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED by the Mayor of said city this ____ day of _____, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED AS TO FORM:

City Attorney Brian W. Head