

BILL NO. 21-210

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR MAJOR AUTOMOTIVE REPAIR IN DISTRICT CP-2 (PLANNED COMMUNITY COMMERCIAL DISTRICT), LOCATED AT 710 SE BLUE PARKWAY FOR A PERIOD OF THIRTY (30) YEARS, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-280 submitted by Cross Development-CC Lee's Summit, LLC. requesting approval of a special use permit for major automotive repair in District CP-2 on land located at 710 SE Blue Pkwy 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 September 23, 2021, 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 October 19, 2021, 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 CP-2 on the following described property:

Lot 2, CHAPMAN PLAZA II, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.

Revised Description per Surveyor of Record

Lot 2, CHAPMAN PLAZA II, a subdivision filed for record as Document 2010E0122508, being part of the Northeast Quarter of Section 8, Township 47 North, Range 31 West City of Lee's Summit, Jackson County, Missouri.

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of 30 years.

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.

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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.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*