

BILL NO. 18-62

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR AUTOMOTIVE SALES, GENUINE AUTO, IN DISTRICT CP-2 (PLANNED COMMUNITY COMMERCIAL DISTRICT) ON LAND LOCATED AT 520 SW 3rd ST FOR A PERIOD OF FIVE (5) YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-257 submitted by Gary Serville, Jr., requesting a special use permit for automotive sales, Genuine Auto, in District CP-2 (Planned Community Commercial District) on land located at 520 SW 3rd St, 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 March 13, 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 April 5, 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 10.450 and Section 10.020.A of the Unified Development Ordinance to allow automotive sales in District CP-2 with a Special Use Permit is hereby granted for a period of 5 years, with respect to the following described property:

HIGGINS L H PLACE LOTS 1 & 2 & PT TR IN SEC 6 DAF: BEG PT 561.88' W OF SE SW 1/4 TH W 58' TH N 248.91' TH E 58' TH S 248.91' TO POB

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of five (5) years.
2. The number of vehicles for sale at any given time shall be limited to five (5) vehicles.
3. Parking lot screening, consisting of one (1) shrub per three (3) linear feet, shall be installed within the green space along 3rd Street.

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.

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Mayor Randall L. Rhoads

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2018.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*