

BILL NO. 20-98

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR AUTOMOTIVE SALES IN DISTRICT CP-2 (PLANNED COMMUNITY COMMERCIAL) ON LAND LOCATED AT 2150 NE INDEPENDENCE AVE FOR A PERIOD OF TWENTY FIVE (25) YEARS, ALL IN ACCORDANCE WITH CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-045 submitted by Lee's Summit Town Center, LLC, requesting a special use permit for automotive sales in District CP-2 on land located at 2150 NE Independence Ave 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 May 14, 2010, 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 June 9, 2020, 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 6.1050 of the Unified Development Ordinance to allow auto sales in District CP-2 with a Special Use Permit is hereby granted for a period of twenty five (25) years from the approval date of this ordinance, with respect to the following described property:

A part of the Northeast Quarter of the Northwest Quarter, Section 29, Township 48 North, Range 31 West, Lee's Summit, Jackson County, Missouri, described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 29; thence S 1°35'52" W along the East line of the Northeast Quarter of the Northwest Quarter for 991.63 feet for the Point of Beginning; thence S 1°35'52" W continuing along said East line for 330.00 feet to the Southeast corner of the Northeast Quarter of the Northwest Quarter; thence N 88°15'22" W along the South line of the Northeast Quarter of Northwest Quarter for 561.55 feet to the Southeast corner of LEE'S SUMMIT TOWN CENTRE, LOT 1 & LOT 2, a subdivision of record; thence N 1°42'31" E along the East line of said subdivision for 330.00 feet; thence S 88°15'22" E for 560.91 feet to the Point of Beginning. Subject to the road right-of-way of Independence Avenue. Containing 4.25 acres more or less.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the 20' vehicle display area setback requirement, to allow a 17'-11" setback from the north property line.
2. The special use permit shall be granted for a period of twenty five (25) years.

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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 Chapter 33, the Unified Development Ordinance, of the Code of Ordinances of the City of Lee's Summit.

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 _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*