

BILL NO. 16-165

AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR CAR SALES IN DISTRICT CP-2 ON LAND LOCATED AT 190 NW OLDHAM PARKWAY, MIDWEST TIRE & SERVICE, FOR A PERIOD OF SEVEN (7) YEARS FROM THE PREVIOUS EXPIRATION DATE, TO EXPIRE ON APRIL 16, 2023, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-077, submitted by Midwest Tire & Service, Inc., 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 April 16, 2009, by Ordinance No. 6779, the City Council granted a special use permit for car sales for a period of 7 years on land located at 190 NW Oldham Parkway, and said permit expired on April 16, 2016; and,

WHEREAS, Application #PL2016-077, submitted by Midwest Tire & Service, Inc., requesting a special use permit renewal for car sales in District CP-2 on land located at 190 NW Oldham Parkway, 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 June 14, 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 August 4, 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 10.460 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 seven (7) years from the previous expiration date, to expire on April 16, 2023, with respect to the following described property:

Summit Shopping Center, Lot 1, a recorded subdivision in Lee's Summit, Jackson County, Missouri.

SECTION 2. That the following conditions of approval apply:

1. The special use permit renewal shall be granted for a period of 7 years from the previous special use permit expiration date, to expire April 16, 2023.
2. The number of vehicles for sale at any given time shall be limited to five (5) vehicles.
3. All display or storage areas must be paved and the vehicles arranged in an orderly manner.
4. The sale display area shall be striped according to a plan approved by staff.

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.

BILL NO. 16-165

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 Head*