

## **BILL NO. 25-031**

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AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR MAJOR AUTOMOTIVE REPAIR SERVICES IN DISTRICT PI (PLANNED INDUSTRIAL) ON LAND LOCATED AT 2401 NE DOUGLAS STREET FOR A PERIOD OF TEN (10) YEARS FROM THE PREVIOUS EXPIRATION DATE, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, on December 15, 2011, by Ordinance No. 7126, the City Council granted a special use permit, Application #2011-150, for Adam's Toyota Auto Repair and Maintenance facility for a period of 3 years on land located at 2401 NE Douglas Street, and said permit expired on December 15, 2014; and,

WHEREAS, on February 19, 2015, by Ordinance No. 7582, the City Council granted a special use permit renewal, Application #PL2014-152, for Adam's Toyota Auto Repair and Maintenance Facility for a period of 10 years on land located at 2401 NE Douglas Street, and said permit will expire on December 15, 2024; and,

WHEREAS, Application #PL2024-230, submitted by Adam's Toyota Lee's Summit, requesting a special use permit renewal for Adam's Toyota Auto Repair and Maintenance Facility in District PI (Planned Industrial) on land located at 2401 NE Douglas 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 24, 2024, 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 February 4, 2025, 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 PI on the following described property:

*Lot 2, Douglas Corporate Center, a subdivision in 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 ten (10) years from the date of the previous special use permit expiration, to expire on December 15, 2034.
2. All repair activities shall be conducted inside the building.
3. Inoperable vehicles, as defined in the UDO, shall not be stored in the defined employee or customer parking areas. Such storage shall be northeast of the building in the specified area shown on the site plan associated with Appl. #2014-1582, which was approved with the SUP renewal by Ordinance No. 7582.

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4. The use shall not generate noise, odors, or fumes that can be detected beyond the walls of the building in which the use is housed.
5. Overhead doors shall remain closed to eliminate associated noise from such uses that are within 300' of any residential district or use.

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.

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 \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor William A. Baird

ATTEST:

\_\_\_\_\_  
City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor William A. Baird

ATTEST:

\_\_\_\_\_  
City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

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City Attorney Brian W. Head