

AMENDED BILL NO. 25-086

AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR A MINI-WAREHOUSE FACILITY IN DISTRICT PI (PLANNED INDUSTRIAL) ON LAND LOCATED AT 953 SE OLDHAM PARKWAY FOR A PERIOD OF FIFTEEN (15) YEARS, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, on September 1, 2005, by Ordinance No. 6036, the City Council granted a special use permit, Application #2005-157, for StorageMart for a period of 20 years on land located at 953 SE Oldham Pkwy, and said permit expired on September 1, 2025; and,

WHEREAS, Application #PL2024-327, submitted by New TKG-StorageMart Partners Portfolio, LLC, requesting a special use permit renewal for StorageMart in District PI (Planned Industrial) on land located at 953 SE Oldham 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 April 10, 2025, 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 May 6, 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:

A tract of land located in the East ½ of the West ½ of the Southwest ¼ of Section 9, Township 47 North, Range 31 West, Lee's Summit, Jackson County, Missouri, said tract joining on the South Line of the proposed dual traffic lane state highway designated U.S. Route 50, more particularly described as follows:

Beginning at the intersection of the South right of way line of proposed U.S. Route 50 with the West line of the East ½ of the West ½ of the Southwest ¼ of Section 9, Township 47 North, Range 31 West (said point being 130 feet right or South of U.S. Route 50 Eastbound Traffic lane survey centerline station 748+20, as hereinafter located); thence South along the West line of the East ½ of the West ½ of the Southwest ¼ of Section 9, a distance of 700 feet; thence South 87 degrees 43 minutes 23 seconds East, a distance of 250 feet, to a point; thence North 02 Degrees, 16 minutes 37 seconds East, a distance of 686.82 feet, to a point on the South right of way line as proposed U.S. Route 50 (being a point 143.18 feet right or South of Eastbound traffic lane survey centerline station 750+70, as hereinafter located); thence Westerly along said proposed South right of way line to the point of beginning.

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of fifteen (15) years from the date of City Council approval, to expire on May 16, 2035.

AMENDED BILL NO. 25-086

2. Street frontage landscaping shall be in accordance with the landscape plan, dated February 5, 2025.
3. A modification shall be granted to the required 50 foot setback from residential properties.
4. A medium impact screen shall be planted along the south property line, and along the portion of the east property line abutting a residential district, in lieu of the proposed low impact screen, as a trade off for the modification to the 50 foot setback requirement.
5. A modification shall be granted to the high impact screening requirement adjacent to residential, to allow the walls of the buildings to serve as the required wall or fence, with medium impact landscaping within the 20 foot buffer strip.
6. A modification shall be granted to the medium impact screening requirement on the west side to allow a low impact screen, where the property abuts a commercial district (or, additional trees shall be added along the west property line to meet the ordinance requirement for a medium impact screen).
7. A modification shall be granted to the medium impact screening requirement on the portion of the east side abutting a commercial district, to allow a low impact screen (or, additional trees shall be added along the east property line abutting the commercial district to meet the ordinance requirement for a medium impact screen).
8. A modification shall be granted for the driveway width at the entry to be 20 feet of pavement, plus curbs and gutters at the entry way.

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*

AMENDED BILL NO. 25-086

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:

City Attorney *Brian W. Head*