

BILL NO. 24-058

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR AUTOMOBILE STORAGE IN DISTRICTS PI (PLANNED INDUSTRIAL) AND PMIX (PLANNED MIXED USE) ON LAND LOCATED AT 101 SW OLDHAM PARKWAY, 1051 SW JEFFERSON STREET, 1204 SW JEFFERSON STREET, 1206 SW MARKET STREET AND 1210 SW MARKET STREET, FOR A PERIOD OF FIVE (5) YEARS, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-346 submitted by Oldham Investors, LLC, requesting approval of a special use permit for outdoor automobile storage in Districts PI and PMIX on land located at 101 SW Oldham Pkwy, 1051 SW Jefferson St, 1204 SW Jefferson St, 1206 SW Jefferson St and 1210 SW Jefferson 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 February 22, 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 March 26, 2024, 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 Districts PI and PMIX on the following described property:

101 SW Oldham Pkwy:

Lot 1, Adesa Lots 1, 2 & 3, Lee's Summit, Jackson County, Missouri;

And

1051 SW Jefferson St, 1206 SW Market St and 1210 SW Market St:

Lot 3, Adesa, Lots 1, 2 & 3, except that part conveyed to State of Missouri by Document No. 2016E0089397;

All of Lot 1, except the north 145.4 feet measured from the north line and south along the west line, Simonin Addition;

The north 145.4 feet of Lot 1, Simonin Addition, said 145.4 feet being measured from the north line of said lot south along the west line thereof;

And

1204 SW Jefferson St:

Tract 1, Metro Estates, 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 five (5) years from the date of approval.
2. Storage of vehicles shall be limited to new vehicles only. No storage of used vehicles in either good repair or in any state of disrepair shall be allowed.

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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 _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2024

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*