

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR MINI-WAREHOUSES IN DISTRICT PI-1 ON LAND LOCATED AT 953 SE OLDHAM PKWY FOR A PERIOD OF 20 YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #2005-157, submitted by Klein Adventures, requesting a special use permit for mini-warehouses in District PI-1 on land located at 953 SE Oldham Pkwy, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, related Application #2005-156 has been submitted and processed for the approval of a preliminary development plan for the subject property in conjunction with this special use permit; 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, 2005, and rendered a report to the City Council containing findings of fact and a recommendation that the special use permit be denied; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on July 14, 2005 and August 11, 2005, 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 5.310 of the Unified Development Ordinance allow mini-warehouses in District PI-1 with a Special Use Permit is hereby granted for a period of 20 (twenty) years, with respect to the following described property:

A tract of land located in the East ½ of the West ½ of the SW ¼ of Section 9, T57N, R31W, Jackson County, Missouri, said Tract joining on the South line of proposed dual traffic land 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 SW ¼ of Section 9, T47N, R31W (said point being 130 feet right or South of U.S. Route 50 Eastbound traffic land survey station 748+20, as hereinafter located); thence South along the west line of the East ½ of the West ½ of the SW ¼ of Section 9, a distance of 700 feet; thence South 87°43'23" East, a distance of 250 feet, to a point; thence North 02°16'37" East, a distance of 686.82 feet, to a point on the South right of way line of proposed U.S. Route 50 (being a point 143.28 feet right or South of Eastbound traffic land survey centerline station 750+70, as hereinafter located); thence Westerly along said proposed South right of way line, to the point of beginning; containing 3.98 acres, more or less, of land.

SECTION 2. That the following conditions of approval apply:

1. The development shall be in accordance with the preliminary development plan date stamped June 27, 2005, and including revised plans date stamped July 26 (landscape plan), August 1 (photos of similar facility) and August 2, 2005 (revised front building elevation).
2. A modification shall be granted to the required 50 foot setback from residential properties.

3. 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.
4. 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.
5. 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).
6. 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).
7. A modification shall be granted for the driveway width at the entry to be 20 feet of pavement, plus curbs & gutters at the entry way.

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 Unified Development Ordinance, No. 5209.

SECTION 4. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED by the City Council of the City of Lee's Summit, Missouri, this 1st day of September, 2005.


Mayor Karen R. Messerli

ATTEST:


City Clerk Denise R. Chisum

APPROVED by the Mayor of said city this 1st day of September, 2005.


Mayor Karen R. Messerli

ATTEST:


City Clerk Denise R. Chisum

APPROVED AS TO FORM:


City Attorney Robert H. Handley