

BILL NO. 24-186

AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR RAINTREE LAKE MAINTENANCE FACILITY BUILDING IN DISTRICT R-1 ON LAND LOCATED AT 504 SW 163RD STREET FOR A PERIOD OF TWENTY (20) 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 July 7, 2003, by Ordinance No. 5550, the City Council granted a special use permit, Application #2003-110, for Raintree Lake Maintenance Facility Building for a period of 20 years on land located at 504 SW 163rd Street, and said permit expired on July 7, 2013; and,

WHEREAS, on August 13, 2013, by Ordinance No. 7353, the City Council granted a special use permit renewal, Application #PL2013-057, for Raintree Lake Maintenance Facility Building for a period of 20 years on land located at 504 SW 163rd Street, and said permit expired on July 7, 2023; and,

WHEREAS, Application #PL2024-107, submitted by Raintree Lake POA, requesting a special use permit renewal for Raintree Lake Maintenance Facility Building in District R-1 on land located at 504 SW 163rd 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 September 26, 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 October 22, 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 District R-1 on the following described property:

Lot 2, Brigance Acres, a subdivision of record 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 twenty (20) years from the date of the previous special use permit expiration, to expire on August 13, 2033.
2. There shall be no outside storage of equipment or materials.
3. The use is restricted to maintenance equipment storage.

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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 the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

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*