

BILL NO. 24-056

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR MOTORCYCLE SALES, RENTAL OR SERVICE WITH OUTDOOR DISPLAY IN DISTRICT CP-2 ON LAND LOCATED AT 3100 NE CARNEGIE DRIVE, FOR A PERIOD OF TWENTY (20) YEARS, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-024 submitted by Engineering Solutions, requesting approval of a special use permit for motorcycle sales, rental or service with outdoor display in District CP-2 on land located at 3100 NE Carnegie Drive 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 District CP-2 on the following described property:

Chapel Ridge Business Park Lots 9BB & 9D

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 approval.

SECTION 3. Development shall be in accordance with the preliminary development plan dated November 17, 2023, & revised December 22, 2023, building elevations dated November 17, 2023, & revised December 22, 2023, and the layout appended hereto as Attachments A, B, and C respectively.

SECTION 4. 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 5. 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.

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SECTION 6. 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*