

BILL NO. 21-154

AN ORDINANCE APPROVING A SPECIAL USE PERMIT RENEWAL FOR A TOW LOT IN DISTRICT PI ON LAND LOCATED AT 451 SE OLDHAM PKWY, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-199 submitted by Crash Champions, LLC, requesting a special use permit renewal for a Tow lot in District PI (Planned Industrial District) on land located at 451 SE Oldham Pkwy, was referred to the Planning Commission to hold a public hearing; and

WHEREAS, the Unified Development Ordinance provides for the approval of a special use permit by the City following public hearings by the Planning Commission and City Council; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the special use permit on July 22, 2021, and rendered a report to the City Council recommending that the special use permit renewal be approved; and

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on August 3, 2021, and rendered a decision to grant the special use renewal.

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 6.1160 of the Unified Development Ordinance to allow for a tow lot in District PI with a special use permit is hereby granted for a period of 10 years with respect to the following described property:

BROWNING INDUSTRIAL PARK EAST, BLOCK F

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be approved for a period of 10 years from the date of the previous special use permit expiration date of June 2, 2021, to expire on June 2, 2031.
2. The required screening and all-weather parking surface (asphalt or concrete) shall be maintained in good condition and meet all standards established by the UDO.

SECTION 3. 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 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.

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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 _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*