

BILL NO. 24-157

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR MAJOR AUTOMOTIVE REPAIRS AND AUTOMOTIVE SALES IN DISTRICT CP-2 (PLANNED COMMUNITY COMMERCIAL) ON LAND LOCATED AT 1000 SE BLUE PARKWAY FOR A PERIOD OF TEN (10) YEARS, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-158, submitted by CRB Industries, LLC, requesting approval of a special use permit for major automotive repairs and automotive sales in District CP-2 on land located at 1000 SE Blue Parkway, 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 August 8, 2024, and August 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 September 3, 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:

Lot 2, FARMER'S COMMERCIAL LOTS 1 AND 2, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of ten (10) years from the date of approval.
2. The special use permit shall allow major automotive repairs and the sale or lease of motor vehicles, to include motor homes, recreational vehicles, boats, trailers and trucks (one ton or greater) with 3 or fewer axles.
3. The applicant shall complete the following items within 45 days of approval of the Special Use Permit:
 - a. The parking lot shall be brought into compliance with the International Property Maintenance Code, as amended by the Property Maintenance Code of Lee's Summit, Section 16-202, and as otherwise adopted and incorporated by the City. Necessary work is re-striping of parking spaces and parking lot surface repair.

BILL NO. 24-157

- b. The exterior of the building located on the premises shall be brought into compliance with the International Property Maintenance Code, sections 304.2 and 304.6, as adopted and incorporated by the City.
 - c. Parking lot screening shall be installed along the site's SE Blue Pkwy frontage in accordance with the requirements of UDO Section 8.820. The applicant shall be required to submit to the City a landscape plan compliant with the requirements of UDO Section 8.820 for review and approval prior to the installation of the parking lot screening.
 - d. A landscape plan in accordance with UDO Section 8.820 shall be submitted for review and approval by the City prior to installation of plantings along the site's SE Blue Pkwy frontage. Maintenance of landscape areas will be as required in the UDO.
4. Vehicle storage for vehicles in disrepair or under repair, as defined by the City of Lee's Summits Municipal Code, Section 15.440.G, shall be stored in the area identified on Exhibit A.

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 Unified Development Ordinance, enacted by Ordinance No. 5209, 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*

BILL NO. 24-157

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