

AMENDED BILL NO. 25-085

AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR A MINI-WAREHOUSE FACILITY IN DISTRICT PI (PLANNED INDUSTRIAL) ON LAND LOCATED AT 465 SE OLDHAM PARKWAY FOR A PERIOD OF FIFTEEN (15) YEARS, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, on April 11, 1978, by Ordinance No. 1863, the City Council granted a special use permit, Application #423, for StorageMart for a period of 25 years on land located at 465 SE Oldham Pkwy, and said permit expired on April 11, 2003; and,

WHEREAS, on June 12, 1984, by Ordinance No. 2537, the City Council granted a special use permit, Application #697, for StorageMart for a period of 25 years on land located at 465 SE Oldham Pkwy, and said permit expired on June 12, 2009; and,

WHEREAS, on November 19, 1985, by Ordinance No. 2713, the City Council granted a special use permit, Application #794, for StorageMart for a period of 20 years on land located at 465 SE Oldham Pkwy, and said permit expired on June 12, 2009; and,

WHEREAS, on May 4, 2000, by Ordinance No. 4960, the City Council granted a special use permit, Application #2005-157, for StorageMart for a period of 25 years on land located at 465 SE Oldham Pkwy, and said permit expired on May 4, 2025; and,

WHEREAS, Application #PL2024-280, submitted by New TKG-StorageMart Partners Portfolio, LLC, requesting a special use permit renewal for StorageMart in District PI (Planned Industrial) on land located at 465 SE Oldham Pkwy, 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 April 10, 2025, 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 May 6, 2025, 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 PI on the following described property:

LOT 1, BROWNING INDUSTRIAL PARK EAST, BLOCK G, LOT 1, 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 fifteen (15) years from the date of City Council approval, to expire on May 16, 2035.

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2. Street frontage landscaping shall be in accordance with the landscape plan, dated March 10, 2025.

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 Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

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 _____, 2025.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2025.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*