

BILL NO. 21-91

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR AUTOMOTIVE SALES IN DISTRICT CP-2 (PLANNED COMMUNITY COMMERCIAL) ON LAND LOCATED AT 1115 SW OLDHAM PARKWAY FOR A PERIOD OF TEN (10) YEARS, ALL IN ACCORDANCE WITH CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-082 submitted by Jay Hatfield Mobility, LLC, requesting a special use permit for automotive sales in District CP-2 on land located at 1115 SW Oldham 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 April 22, 2021, 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 4, 2021, 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 the application pursuant to Section 6.1050 of the Unified Development Ordinance to allow auto sales in District CP-2 with a Special Use Permit is hereby granted for a period of ten (10) years from the approval date of this ordinance, with respect to the following described property:

A tract of land in Southeast Quarter of Section 1, Township 47, Range 32, in the Lee's Summit, Jackson County, Missouri, described as follows:

Beginning at the most northerly corner of Lot 1, "Pizza Hut Addition", a subdivision in said city, county and state, said point also being on the southwesterly right-of-way line of U.S. Highway 50, as no established; thence 43.1°6 feet to an angle point in said right-of-way line, a distance of 317.65; thence South 42 degrees, 36 feet, 36 inches East, along the northeasterly line of Lots 76 through 81, a distance of 339.58 feet to the most northerly Northwest corner of said Lot 1; thence North 55 degrees, 02 feet, 05 inches East, along the northwesterly line of said Lot 1, a distance of 195.49 feet to the point of beginning. Containing 71,597 square feet or 1.64 acres, more or less.

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. The special use permit renewal shall be set to expire on November 3, 2028.

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

BILL NO. 21-91

SECTION 4. 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*