

**RESOLUTION NO. 21-1035**

**A RESOLUTION GRANTING A SPECIAL USE PERMIT FOR MOTOR VEHICLE SALES, SUBJECT, HOWEVER, TO THE STIPULATIONS HEREINAFTER MORE FULLY EXPRESSED.**

**WHEREAS**, Application No. SU21-0001 was filed with the City of Olathe, Kansas, on the 4<sup>th</sup> day of March 2021; and

**WHEREAS**, said Application requested that the City Council of the City of Olathe, Kansas, issue a special use permit for Motor Vehicle Sales on the following described properties:

1501 E. SANTA FE OLATHE KS 66061

LOCKWOOD HEIGHTS LTS 259 THRU 263 & LT 264 EX N 15.5' & EX PT LYING N OF LINE BG 29.97' S NE CR LT 199 EXTENDING SW 54.01' W 169.59' SW 33.56' & 42.6' TO PT ON W/L LT 261 BLK 8 & W 1/2 VAC ALLEY ADJ E

142 N BURCH ST OLATHE KS 66061

LOCKWOOD HEIGHTS ALL LTS 250 THRU 254 BLK 8 & W 1/2 VAC ALLEY ADJ E

**WHEREAS**, such property is zoned C-3; and

**WHEREAS**, Chapter 18.20 and 18.40 of the Unified Development Ordinance authorizes the establishment of such a use in such zoned area upon the issuance of a special use permit; and

**WHEREAS**, the Planning Commission and the City Council of the City of Olathe, Kansas, having given the requisite notices by publication and otherwise, and after holding a public hearing on the 26<sup>th</sup> day of April 2021, and affording a full and fair hearing to all the property owners, generally, and to other interested persons situated in the affected area or in the vicinity thereof; and

**WHEREAS**, the Planning Commission of the City of Olathe, Kansas, has recommended that the special use permit be granted; and

**WHEREAS**, the City Council is of the opinion that such special use permit should be granted subject to the conditions set out herein. The following conditions apply:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OLATHE, KANSAS:**

**SECTION ONE:** That Application No. SU21-0001 requesting the issuance of a special use permit for Motor Vehicle Sales, on the previously described property, which is presently zoned as C-3 is hereby approved.

**SECTION TWO:** That this special use permit renewal is approved and granted upon the following stipulations and in conformance with Chapter 18.20 and 18.40 of the Unified Development Ordinance:

1. The Special Use Permit to allow motor vehicle sales is valid for a period of five (5) years following City Council approval.

2. Vehicles will be stored or displayed on paved and striped parking surfaces only.
3. Signage is approved administratively through a separate application and must meet the requirements of UDO 18.50.190.
4. Wind signs, including pennants, streamers, balloons, whirligigs, or similar devices are prohibited.
5. Exterior ground-mounted or building mounted equipment including but not limited to, mechanical equipment, utilities' meter banks and coolers must be screened from public view with three (3) sided landscaping or an architectural treatment.

**SECTION THREE:** That this Resolution shall take effect immediately.

**ADOPTED** by the City Council this 18<sup>th</sup> day of May 2021.

**SIGNED** by the Mayor this 18<sup>th</sup> day of May 2021.

**ATTEST:**

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Mayor

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City Clerk

(Seal)

**APPROVED AS TO FORM:**

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City Attorney