

**RESOLUTION NO. 19-1057**

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

**WHEREAS**, Application No. SU19-0002 was filed with the City of Olathe, Kansas, on the 30<sup>th</sup> day of April 2019; and

**WHEREAS**, said Application requested that the City Council of the City of Olathe, Kansas, issue renewal of a special use permit for motor vehicle sales on the following described property:

LOCKWOOD HEIGHTS LOTS 159 THRU 165, AND THE NORTH 1/2 OF VACATED SCOTT STREET LYING SOUTH OF AND ADJACENT TO BLOCK 6, LOCKWOOD HEIGHTS, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

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

**WHEREAS**, Chapter 18.40 and 18.20 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 24<sup>th</sup> day of June 2019, 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 renewal of the special use permit be granted; and

**WHEREAS**, the City Council is of the opinion that such renewal of the 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. SU19-0002 requesting the issuance of a renewal 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 18.40 and Chapter 18.20 of the Unified Development Ordinance:

- (1) The Special Use Permit is valid for a period of five (5) years following Governing Body approval, with an expiration date of July 16, 2024.
- (2) Vehicles shall not be stored or displayed in customer parking stalls, drive aisles or in landscape areas.
- (3) No vehicle maintenance or repair shall be done at the subject property.

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

**ADOPTED** by the City Council this 17<sup>th</sup> day of September 2019.

**SIGNED** by the Mayor this 17<sup>th</sup> day of September 2019.

**ATTEST:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

(Seal)

**APPROVED AS TO FORM:**

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City Attorney