

RESOLUTION NO. 20-1030

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. SU19-0005 was filed with the City of Olathe, Kansas, on the 9th day of September 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:

LOTS 127, 128, 129, BLOCK 4, 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 13th day of April 2020, 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. SU19-0005 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 to allow motor vehicle sales is valid for a period of ten (10) years following City Council approval, with an expiration date of May 5, 2030.
2. An exception to the light standards in the UDO will be continued for the existing light poles which are twenty-five feet (25') in height and put out an average maintained foot-candle of eleven (11) foot-candles.

3. Vehicles will be stored or displayed on approved paved parking surfaces only.
4. 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 5th day of May 2020.

SIGNED by the Mayor this 5th day of May 2020.

ATTEST:

Mayor

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney