

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR LAND USE 9.400 MOTOR VEHICLE-RELATED SALES AND SERVICE OPERATION MOTOR VEHICLE PAINTING AND BODY WORK IN A GB: GENERAL BUSINESS DISTRICT LOCATED AT 812 E. YOUNG STREET IN THE CITY OF WARRENSBURG, MISSOURI

WHEREAS, NDS Investments, LLC filed a request for a Conditional Use Permit for Land Use 9.400 Motor Vehicle Painting and Body Work to operate in a General Business District at 812 E. Young Street. The property is legally described as follows:

Part of the West Half of the Northeast Quarter of Section 19, Township 46 North, Range 25 West of the 5th Principal Meridian, city of Warrensburg, Johnson County, Missouri, being more particularly described as follows: Commencing at a 3/4" iron rebar at the North Quarter corner of said Section 19 (Mo Document No. 600-91700), thence S89°21'40"E, along the North line of said Section 19, a distance of 149.70 feet; thence leaving said North line, S00°17'20"W, a distance of 293.36 feet, to a 1/2" iron bar with plastic stamped cap on the Southerly line of U.S. Highway Business Route No. 50; thence N73°20'28"E, along the Southerly line of U.S. Highway Business Route No. 50, a distance of 51.59 feet, to a 1/2" iron bar with plastic stamped cap, at the Northwest corner of a tract of land described in Johnson County Deed Book 1831, Page 98, and the point of beginning; thence N73°20'28"E, along the Southerly line of U.S. Highway Business Route No. 50, a distance of 262.08 feet, to a 1/2" iron bar with plastic stamped cap, at the Northeast corner of said tract; thence leaving said Southerly line, S00°20'04"W, along East line of said tract, a distance of 909.63 feet; thence leaving said East line, N89°36'34"W, a distance of 250.44 feet, to the West line of a tract of land described in Johnson County Deed Book 1831, Page 98; thence N00°29'04"E, along the West line of said tract, a distance of 832.79 feet, to the point of beginning.

WHEREAS, public notice of the Planning and Zoning Commission's open public meeting to consider the request was given by letter to property owners within 300 feet of the subject tract on July 17, 2020 and

WHEREAS, the Planning and Zoning Commission, at its meeting on August 3, 2020, recommended the approval of the Conditional Use Permit with two conditions; and

WHEREAS, public notice of the City Council's public hearing to consider the request for a Conditional Use Permit was given by publication in the Daily Star Journal on July 24, 2020; and

WHEREAS, the public hearing was held on August 10, 2020 by the City Council.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WARRENSBURG AS FOLLOWS:

Section 1. Following the consideration of the public comments received on the proposed Conditional Use Permit and upon careful consideration of the evidence before the City Council, it is found and determined that the Conditional Use Permit requested would promote the health, safety, and general welfare of the citizens of the City.

Section 2. That a Conditional Use Permit for Land Use 9.400 Motor Vehicle Painting and Body Work to operate in a General Business District at 812 E. Young Street, described above, is hereby granted with the following conditions:

- A. Staff is granted the authority to approve the final site plan as part of the building permit process.
- B. The site plan be red-lined to eliminate the west driveway onto Young Street.

Section 3: This ordinance shall be in full force and effect after passage by the City Council.

Read two times and passed by the City Council for the City of Warrensburg, Missouri, this ____ day of August, 2020

Attest:

Bryan Jacobs, Mayor

Cindy Gabel, City Clerk