

**BILL NO.**\_\_\_\_\_

**ORDINANCE NO.**\_\_\_\_\_

**AN ORDINANCE AUTHORIZING A CONDITIONAL USE PERMIT FOR LAND USE 18.200 COMMUNITY UTILITY FACILITY IN A GB: GENERAL BUSINESS DISTRICT LOCATED AT 720 E. YOUNG STREET IN THE CITY OF WARRENSBURG, MISSOURI**

**WHEREAS**, the Evergy Missouri West Inc. formerly known as Aquila Inc. filed a request for a Conditional Use Permit for a community utility facility (Land Use 18.200) in a GB: General Business District at 720 E. Young Street. The property is legally described as follows:

A PART OF LOT 1 OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 48, RANGE 25, DESCRIBED AS BEGINNING 52 RODS NORTH OF THE SOUTHWEST CORNER OF SAID LOT 1; RUNNING THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, 800 FEET; THENCE NORTH 717 FEET; THENCE WEST 310 FEET; THENCE NORTH 460 FEET, MORE OR LESS, TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 50; THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF SAID HIGHWAY 207 FEET, MORE OR LESS, TO A POINT WHICH IS 300 FEET NORTHEASTERLY ALONG SAID SOUTH LINE OF SAID HIGHWAY FROM THE WEST LINE OF SAID LOT 1; THENCE SOUTH 500 FEET PARALLEL WITH THE WEST LINE OF LOT 1; THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, 290 FEET TO THE WEST LINE OF SAID LOT 1; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 1, 615 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN JOHNSON COUNTY, MISSOURI.

THE ABOVE LEGAL DESCRIPTION WAS TAKEN FROM A WARRANTY DEED FROM COMMONWEALTH THEATRES REALTY, INC. TO UTILICORP UNITED, INC. DATED MARCH 26, 1986.

**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 April 15, 2022 and

**WHEREAS**, the Planning and Zoning Commission, at its meeting on May 2, 2022, recommended the approval of the Conditional Use Permit with one condition; and

**WHEREAS**, public notice of the City Council's public hearing to consider the request to amend the Conditional Use Permit was given by publication in the Daily Star Journal on April 22, 2022; and

**WHEREAS**, the public hearing was held on May 9, 2022 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 a community utility facility (Land Use 18.200) in a General Business District at 720 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.

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 \_\_\_\_\_, 2022.

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Jim Kushner, Mayor

ATTEST:

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Jodi L. Schneider, City Clerk