

ORDINANCE NO. 2927

CONDITIONAL USE PERMIT 06-CUP-07

AN ORDINANCE RELATING TO ZONING: AUTHORIZING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS:

Section 1. **CONDITIONAL USE PERMIT GRANTED.** Pursuant to regulations set forth in the Paola Land Development Ordinance, Sections 21.220 and 21.222, permission is hereby granted to use the North 50' of Lot 6, Block 18, City of Paola, Miami County, KS, property commonly known as 7 South Agate Street, in the manner set forth in Section 2 hereof.

Section 2. That the real property described above shall hereafter be deemed to allow Light Industry, as further provided in Section 3.

Section 3. **CONDITIONS AND STIPULATIONS.** The conditional use permit granted in Sections 1 and 2 above, in addition to full compliance with any general provisions of the Paola Land Development Ordinance and the site plan, is hereby made contingent upon the performance and observation of the following conditions, of which the violation will be a basis for revocation in addition to those specified in Section 21.225:

- 1) All work shall be completed within an enclosed structure.
- 2) Hours of operation shall be limited to 8am – 12am, Sunday through Saturday.
- 3) The maximum decibel level shall not exceed 70 decibels at the property line.
- 4) All printing and embroidery products not bio-degradable to be disposed of by approved methods and shall not enter the sanitary sewer system.
- 5) If a permanent trash dumpster is added, it shall be properly enclosed in a trash enclosure.
- 6) Parking area to be striped and ADA sign posted on building and on pavement as well.
- 7) Proper venting of production area to be provided that would not impact surrounding properties. Both the dryer and for any possible fumes from inks/dyes.
- 8) Parking spaces to be established so as to maximize the site distance for drivers exiting onto Agate Street from the alley.
- 9) After one year, the conditional use permit shall be reviewed by the Planning Commission to ensure compliance. The property owner shall be responsible for notifying adjoining property owners (as identified by the abstractor's search for the original CUP request) by regular mail two weeks in advance of the Planning Commission's review. If the owner will be requesting an amendment to the CUP, the notification shall follow the same procedures as the original CUP notification. Adjoining property owners will have an opportunity to comment on compliance to the conditions of the CUP.
- 10) At any time, the City may institute revocation of the conditional use permit for violations of the conditions of approval, expiration, or the reasons specified in Section 21.225 of the Land Development Ordinance. The City shall provide notice to the

landowner and public in the same manner as was provided for the establishment of the conditional use permit.

Section 4. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED BY the Council this 26th day of September 2006.

APPROVED BY the Mayor this 26th day of September 2006.

Artie Stuteville, Mayor

ATTEST: (SEAL)

Daniel G. Droste, City Clerk