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ORDINANCE NO. 3000

AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 09-CUP-10

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 (LDO) permission is hereby granted for a heavy retail business at property commonly known as 410 North Silver as provided in Section 2.

Section 2. CONDITIONS AND STIPULATIONS. The conditional use permit granted in Section 1 above, in addition to full compliance with any general provisions of the LDO, is hereby made contingent upon the performance and observation of the following conditions, of which the violation will be a basis for revocation:

- 1) Provide additional screening to the south of the property with 2.75 plant units per 100 linear feet and replace street trees if needed.
- 2) No parking of inventory or customer vehicles is permitted in clear view area.
- 3) Exterior lighting must use cut-off fixtures.
- 4) 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 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED BY the Council this 22nd day of September, 2009.

APPROVED BY the Mayor this 22nd day of September, 2009.

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk