

ORDINANCE NO. 3135

AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 19-CUP-01

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 to operate a used auto dealership business at property commonly known as 9 Wallace Park Drive 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) No light or heavy auto repairs are permitted on the property.
- 2) No overnight parking, except for one space for display of a for-sale vehicle is permitted.
- 3) Property owner shall have one year to pave the gravel parking lot with an approved all-weather surface and striped.
- 4) Owner shall maintain adequate screening along the south side of the property between the business and the neighboring residence.
- 5) After six months, the Conditional Use Permit shall be reviewed by the Planning Commission to ensure compliance. Such reviews are not subject to publication, notification and public hearing requirements. If property owner is requesting an amendment to the CUP, the notification shall follow the same procedures as the original CUP request.
- 6) 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 (LDO). 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 12th day of February, 2019.

APPROVED BY the Mayor this 12th day of February, 2019.

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk