

**ORDINANCE NO. 3175**

**AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 21-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 gas station/convenience business and unmanned U Haul Rental at property commonly known as 604 N 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. Lighting shall be all cut-off fixtures located to minimize impact on adjoining properties and comply with Article 12, DRAINAGE, UTILITIES, PARKING AND LIGHTING of the LDO.
2. All rental units shall be parked in accordance with the parking setbacks stated in Article 4, Table 4.110A.
3. All rental units shall be parked on paved, hard-surface.
4. Until the gas station is open for service, there shall be a maximum of 6 rental units parked on paved, hard-surface areas.
5. Once the gas station is operational, 4 of the six spaces shall be available for customer parking. The remaining two spaces will be available for rental unit parking. Applicant may add additional paved, hard-surface to the property at which time the CUP may be amended to provide space for additional rental unit parking.
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. 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 8th day of June, 2021.

**APPROVED BY** the Mayor this 8th day of June, 2021.

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Artie Stuteville, Mayor

ATTEST: (seal)

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Stephanie Marler, City Clerk