

ORDINANCE NO. S-3130

AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT FOR THE ESTABLISHMENT OF A VEHICLE STORAGE LOT ON CERTAIN PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS; AND REPEALING ORDINANCE NO. S-3123.

WHEREAS, application has been made by the Metropolitan Planning Commission concerning an amendment to a Special Use Permit granted on January 21, 2014, to Sergio Torres to allow the establishment of a vehicle storage lot on his property located at 220 and 224 East 2<sup>nd</sup> Street, Junction City, Kansas; and,

WHEREAS, the Metropolitan Planning Commission conducted a public hearing on September 11, 2014, on Case No. SUP-09-01-14, following published notification in accordance with K.S.A. 12-741, et. seq., as amended; and,

WHEREAS, the Metropolitan Planning Commission has recommended the City Commission of the City of Junction City, Kansas, approve the amendment to the Special Use Permit to allow the establishment of a vehicle storage lot on his property located at 220 and 224 East 2<sup>nd</sup> Street, Junction City, Kansas, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF JUNCTION CITY, KANSAS, THAT:

Section 1. The following described property is hereby granted an amended Special Use Permit to allow the establishment of a vehicle storage lot at his property located at 220 and 224 East 2<sup>nd</sup> Street, Junction City, Kansas, subject to the conditions and restrictions listed herein:

Lot 15 and the West 40 feet of Lot 16, Block 57 of the plat of Junction City, Geary County, Kansas.

Section 2. The amended Special Use Permit herein granted shall be subject to the following conditions and restrictions:

- A. The entire property be screened with a 6-foot, wooden privacy fence which shall be maintained in good repair and permitted to weather naturally, and is not to be painted except to maintain the natural wood color, unless it is stained to a redwood-type color or some other similar natural color. Any broken materials on the fence are to be repaired in a timely manner so the fencing remains intact and functions as screening as required by the Junction City Zoning Regulations; and,
- B. The full area of the lot devoted to the parking and/or storage of vehicles shall be surfaced with the same material used in the parking/storage lot for the property on East 1<sup>st</sup> Street; and,
- C. The use of the lot shall be limited to vehicles associated with the applicant's repair business and shall be occupied only by vehicles in the process of being repaired or awaiting pick up by the owners. At no time shall the lot be used for the storage of other equipment, disabled vehicles that are not being repaired, disabled vehicles that are being salvaged, or storage of other vehicles or equipment for any reason; and,
- D. The parking and/or storage of disabled vehicles, or vehicles awaiting repairs, on the streets in the area of the business; especially on Franklin Street, East 2nd Street and East 3rd Street, shall not occur. The creation of this lot for the parking and/or storage of these vehicles is approved in order to remove the on-street parking and/or storage problems created by this business; and,

- E. A specific plan for security lighting is to be submitted and approved by the Code Enforcement staff in conformance with the standards of the City ordinances; specifically with arrangements to preclude glare or other impediments to the residential neighborhood; and,
- F. No business signs be permitted; and,
- G. Ingress and egress driveways from 2<sup>nd</sup> Street shall be constructed to City Code; and,
- H. The security fencing shall be constructed so no open space exists between the bottom of the fence and the ground; and,
- I. All fencing, the installation of the driveway entrance onto Second Street, and the surfacing of the lot to the standards noted above shall be completed no later than December 31, 2014; and,
- J. Failure to meet the completion deadline of December 31, 2014, shall result in this Special Use Permit being declared null and void without further notice or hearing; and,
- K. If the applicant fails to comply and this Special Use Permit is voided as noted above, the applicant shall be prohibited to apply for another Special Use Permit for this type of use for this or any other property he owns for at least one year.


Section 3. Ordinance No. 3123 is hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its publication once in the official city newspaper.

PASSED AND ADOPTED THIS 21<sup>st</sup> DAY OF OCTOBER, 2014.

ATTEST:

  
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TYLER FICKEN, CITY CLERK

  
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MICHAEL L. RYAN, MAYOR

