

**ORDINANCE NO. 3218**

**AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 23-CUP-05**

**WHEREAS**, at its December 19, 2023 meeting, the Planning Commission voted unanimously to recommend approval of Conditional Use Permit 23-CUP-05 to operate rentals of U-Haul trucks and trailers at 104 W Piankishaw.

**WHEREAS**, the City has received complaints regarding the line-of-sight issues at the intersection of Silver St. and Piankishaw.

**WHEREAS**, staff and business owner worked towards a solution that serves the growing business along with citizens traveling and residing near the 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 (LDO) permission is hereby granted for “Heavy Retail and Service” at 104 W Piankishaw.

**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. Line of sight at the intersection of N. Silver and W. Piankishaw shall conform to Figure 11.260 Clear View of Intersection Streets in the LDO. This is to be clearly marked with physical barriers.
2. All rental trucks and/or trailers shall be parked in accordance with the parking setbacks stated in Article 4, Table 04.110 A in the LDO.
3. No limit on number of trucks and/or trailers so long as all parked rental units meet setback requirements.
4. All rental trucks and/or trailers shall be parked in an organized manner on the provided hard-surfaced lot east of the existing building in order to maintain customer parking for the hardware store.
5. 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 9th day of January, 2024.

**APPROVED BY** the Mayor this 9th day of January, 2024.



ATTEST: (seal)

  
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Leigh House, Mayor

  
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Stephanie Marler, City Clerk