

# City of Lee's Summit

## Department of Planning & Codes Administration

October 7, 2016

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director *Uly Fox RGM*  
RE: **PUBLIC HEARING – Appl. #PL2016-166 – REZONING from TNZ to PO – First Baptist Church, 2 NE Douglas St.; First Baptist Church, applicant**

### Commentary

The applicant proposes to rezone the approximately 3.13-acre site located at 2 NE Douglas St. from TNZ (Transitional Neighborhood Zone) to PO (Planned Office). The property is developed with a church. No additional development or redevelopment of the site is proposed as part the rezoning request. The request for rezoning solely stems from the applicant's proposal to replace the existing monument sign along NE Douglas St. with a new monument sign that has an electronic message board. Electronic message board monument signs are not permitted under the existing TNZ zoning, but are allowed under the proposed PO zoning.

### Recommendation

Staff recommends **APPROVAL** of the rezoning.

### Project Information

**Proposed Use:** church (existing)

**Current Zoning:** TNZ (Transitional Neighborhood Zone)

**Proposed Zoning:** PO (Planned Office)

**Land Area:** 3.13 acres (136,342 square feet)

**Number of Lots:** 1 lot

**Location:** 2 NE Douglas St.; located on the west side of NE Douglas St., bounded by NE Main St. to the west, NE 1<sup>st</sup> St. to the south, and NE Maple St. to the north.

#### **Surrounding zoning and use:**

**North (across NE Maple St.):** R-1 (Single-family Residential) — single-family residences

**South (across NE 1<sup>st</sup> St):** CBD (Central Business District) — United Methodist Church

**East (across NE Douglas St.):** R-1 (Single-family Residential) — single-family residences;  
PO (Planned Office) — barber shop and satellite First Baptist Church parking lot

**West (across NE Main St. and Union Pacific railroad):** CP-2 (Planned Community Commercial District) — single-family residences and industrial uses; PI (Planned Industrial) — industrial uses

### Background

- June 14, 1867 – The property was platted as part of the WB Howards, 1<sup>st</sup> Addition.
- January 12, 1954 – The Board of Aldermen adopted the Zoning Ordinance of the City of Lee's Summit, which established zoning for the city, by Ordinance No. 421. The subject property was zoned District A (Residential Dwelling and Multiple Dwelling House District).

- February 14, 1957 – The Board of Aldermen adopted an amended Zoning Ordinance of the City of Lee's Summit, which established new zoning district classifications, by Ordinance No. 507. The subject property was rezoned from District A to District C-1 (Local Business and Light Industrial).
- March 27, 1962 – The Board of Aldermen adopted an amended Zoning Ordinance of the City of Lee's Summit, which established new zoning district classifications, by Ordinance No. 715. The subject property was rezoned from District C-1 to District C-0 (Non-Retail Business).
- April, 1973 – The Board of Aldermen adopted amended Zoning Ordinance No. 715 of the City of Lee's Summit, which replaced District C-0 with District R-0 (Non-Retail), by Ordinance No. 1444. The subject property's zoning changed accordingly.
- February 6, 1990 – The City Council approved the final development plan for the First Baptist Church at 2 NE Douglas St.
- February 25, 1991 – The Planning Commission approved a revised final development plan (Appl. #1991-063) for the First Baptist Church at 2 NE Douglas St.
- November 1, 2001 – The Unified Development Ordinance (UDO) went into effect and replaced District R-O (Non-Retail Business) with District PRO (Planned Residential Office) by Ordinance No. 5209. The subject property's zoning changed accordingly.
- September 15, 2005 –The City rezoned the property to TNZ (Appl. #2005-162), by Ordinance No. 6048.

## Analysis of Rezoning

**Comprehensive Plan.** The Old Lee's Summit Development Master Plan, as part of the 2005 Lee's Summit Comprehensive Plan, identifies this area as being within the Downtown Core.

**Surrounding Uses.** The property to the north, across NE Maple St., is zoned R-1 and is comprised of single-family homes and vacant ground. The property to the east, across NE Douglas St., is zoned R-1 and PO and is comprised of single-family homes and a parking lot (First Baptist Church satellite parking). The property to the south, across NE 1<sup>st</sup> St., is zoned CBD and is comprised of the United Methodist Church. The property to the west, across NE Main St. and Union Pacific railroad right-of-way, is zoned CP-2 and PI and is comprised of single-family residences and industrial uses.

**Request.** The applicant proposes to rezone 3.13 acres from TNZ to PO for the purpose of erecting an electronic message board monument sign. Electronic message board monument signs are not permitted in the TNZ zoning district under Article 13 (Signs) of the UDO, but they are permitted in the PO zoning district.

**Recommendation.** Staff believes the proposed rezoning to be appropriate for this property, as nearby properties to the north and east are also zoned PO. The church has no immediate plans for any redevelopment of this site. The request for a change in zoning is strictly for the allowance of an electronic message board monument sign.

**Ordinance Criteria.** The criteria enumerated in Article 4 were considered in analyzing this request.

- The proposed rezoning is not expected to change the character of the neighborhood. The PO zoning allows for the continued use of the property as a church, but also allows for the church to erect an electronic message board monument sign.

- The proposed rezoning is not expected to negatively impact the aesthetics or use of the subject property or the neighboring properties.
- The proposed rezoning is not expected to negatively impact the values of the subject property or neighboring properties.

In considering all the criteria and regulations, and taking into considerations the facts above, staff finds the use to be appropriate and recommends the approval of the rezoning.

**Code and Ordinance Requirements to be met Following Approval**

*The items in the box below are specific to this subdivision and must be satisfactorily addressed in order to bring this plat into compliance with the Codes and Ordinances of the City.*

**Fire**

1. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2012 International Fire Code.

**Planning and Codes Administration**

2. Sign permits shall be obtained prior to installation of any signs through the Department of Planning and Codes Administration. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance.

RGM/jmt

Attachments:

1. Rezoning Exhibit, dated September 21, 2016
2. Area Zoning Map
3. Location Map