



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2021-279 and PL2021-280
File Name	PRELIMINARY DEVELOPMENT PLAN and SPECIAL USE PERMIT for major automotive repair
Applicant	Cross Development - CC Lee's Summit, LLC.
Property Address	710 SE Blue Pkwy
Planning Commission Date	September 23, 2021
Heard by	Planning Commission and City Council
Analyst	Victoria Nelson, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager and Kent Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: June 15, 2021
Neighborhood meeting conducted: August 31, 2021
Newspaper notification published on: September 2, 2021
Radius notices mailed to properties within 300 feet on: September 1, 2021
Site posted notice on: September 1, 2021

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Attachments

Traffic Impact Analysis, written by Brad Cooley, P.E., dated September 16, 2021-2 pages

Preliminary Development Plan consisting of 29 pages:

- Cover Sheet, dated September 3, 2021
- ALTA/NSPS Survey, dated June 1, 2021
- Demolition Plan, dated September 3, 2021
- Erosion Control, dated September 3, 2021 - 4 pages
- Site Plan, dated September 3, 2021 - 5 pages
- Grading Plan, dated September 3, 2021
- Inlet Area Map, dated September 3, 2021
- Storm Profiles, dated September 3, 2021
- Storm Details, dated September 3, 2021 - 2 pages
- UGD Details, dated September 3, 2021 - 2 pages
- Utility Plan, dated September 3, 2021 - 2 pages
- Utility Details, dated September 3, 2021 - 3 pages
- Landscape Plan, dated September 3, 2021 - 2 pages
- Sight Distance Exhibit, dated September 3, 2021
- Architectural Elevations, dated September 3, 2021 - 2 pages
- Lighting Plan, dated September 3, 2021

Stormwater Management Report, dated July 23, 2021 - 10 pages

Sidewalks: Payment in Lieu of Construction Letter, dated August 23, 2021

Neighborhood meeting notes, dated September 2, 2021 - 2 pages

Location Map

1. Project Data and Facts


Project Data	
Applicant/Status	Cross Development - CC Lee's Summit, LLC. /Applicant
Applicant's Representative	Nick Fore
Location of Property	710 SE Blue Pkwy
Size of Property	±1.38 Acres (60,209 sq. ft.)
Building Area	11,582 sq. ft. building proposed
Floor Area Ratio (FAR)	0.19
Existing Zoning	CP-2 (Planned Community Commercial District)
Number of Lots	1 Lot
Comprehensive Plan Designation	Industrial
Procedure	The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan and special use permit. The City Council takes final action on the preliminary development plan and special use permit.
Duration of Validity	Preliminary development plan approval by the City Council shall not be valid for a period longer than twenty-four (24) months from the date of such approval, unless within such period a final development plan application is submitted. The City Council may grant one extension not exceeding twelve (12) months upon

	written request. A special use permit shall be valid for a specific period of time if so stated in the permit.
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Current Land Use
The property is a vacant 1.38-acre parcel that is zoned CP-2 (Planned Community Commercial District). The property has never been developed, but up until around 2008 served as additional outdoor display area for large yard equipment and farm implements associated with Lawn & Leisure.

Description of Applicant’s Request
The applicant seeks a commercial preliminary development plan and a special use permit for automotive repair to operate an autobody repair and paint shop. The building will be 11,582 sq. ft.

2. Land Use

Description and Character of Surrounding Area
 <p>The property is located between SE 7th Ter and SE Blue Pkwy. To the south of the property is US 50 Highway and to the east and west are commercial businesses. Directly north there are industrial businesses and to the northeast there is residential housing.</p>

Adjacent Land Uses and Zoning

North	Chapman Industrial Park / PI (Planned Industrial)
West:	Vacant lot and John Deere Dealership / CP-2
South:	US 50 Hwy
East:	Auto Repair / CP-2

Site Characteristics
There is a slight slope downward from the southwest corner to the northeast. The site is a vacant 1.38-acre parcel and is mainly made up of grass and a circle gravel driveway. The site has frontage along both SE 7 th Terr and SE Blue Pkwy.

3. Project Proposal

Site Design

Land Use Existing	
Impervious Coverage:	10%
Pervious:	90%
TOTAL	100%
Land Use Proposed	
Impervious Coverage:	65.2%
Pervious:	34.8%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces proposed:	66	Total parking spaces required:	36
Accessible spaces proposed:	2	Accessible spaces required:	2

Setbacks (Perimeter)

Yard	Building Required	Building Proposed
Front (South)	15' Build	97' Build
Side (East)	10' Build	67' Build
Side (West)	10' Build	13' Build
Rear (North)	20' Build	118' Build

Yard	Parking Required	Parking Proposed
Front (South)	20' Parking	20' Parking
Side (East)	6' Parking	6' Parking
Side (West)	6' Parking	6' Parking
Rear (North)	20' Parking	43' Parking

Structure(s) Design

Number and Proposed Use of Buildings
1 proposed building.
Building Height
26'
Number of Stories
1 story

4. Unified Development Ordinance (UDO)

Section	Description
2.300,2.310,2.320	Preliminary Development Plan
8.500	Parking
4.190	Zoning Districts
6.620, 6.630, 6.640, 6.650	Special Use Permit

Unified Development Ordinance

The proposed use follows Sec. 4.190 of the UDO for CP-2 zoning district, which “. . . is established to provide a location for a full-range of retail and office development serving the general needs of the community. This district is not considered appropriate for heavier commercial uses that border on being more light industrial in nature, and thus more appropriate for the CS or PI District. The intent is to promote a streetscape that encourages buildings to be moved forward adjacent to the front yard setback line or adjacent to the required landscape improvements. This site design improves the benefits derived from the required landscaping and the overall image of the commercial corridor.” The UDO requires that for an autobody repair and paint shop to be allowed in CP-2 zoning it must apply and follow the special use permit conditions for major automotive repair. These conditions can be found under Sec. 6.440 “Repair Services, Automotive”. The conditions are as follows:

1. All activities are conducted within a building or fully screened area. ***All work to be performed by Caliber Collision will take place within the proposed enclosed building.***
2. Outside storage is confined to the rear of the property and visually screened in accordance with the buffer standards of Article 2. ***A “Medium Impact Screening” provided via Landscaping along the northern portion of the property is provided for the Caliber Collision development. The specific landscape option of screening for the properties north of the site is Screen Type B, a mix of shade, ornamental, and evergreen trees, along with shrubs. Reference the Landscape Plan for additional information. The properties located to the east and west of the site have a matching zoning designation to that of the Caliber property, and therefore do not require a screening buffer.***
3. Do not generate noise, odors, or fumes that can be detected beyond the walls of the building in which the use is housed. ***Caliber Collision utilize a prepackaged paint booth system located in the proposed building’s interior. This system contains its own ventilators and filtration system that meets all federal and state regulations, confining all odors/fumes to the building’s interior.***
4. Overhead doors are to remain closed to eliminate associated noise from such uses that are within 300 feet of any residential district or use. (Ventilation, exhaust and air circulation should be considered by the prospective business operator and/or owner when the enactment of this condition is present. Such use may require special fans, air conditioning, etc.). ***Overhead doors located on the building are opened to navigate vehicles in and out of the shop. They will remain closed for all repair operations.***

Special Use Permit Time Period

Under Sec. 6.630 of the UDO, the applicant must request a... “length of term of the use after the date of issuance of the permit”. The applicant requests the special use permit be granted for a period of 30 years. Special use permits for new construction sites, such as the subject application, have typically been granted time periods of 20 or 30 years.

5. Comprehensive Plan

Focus Areas	Goals
Resilient Economy	Goal 3.3, Diversity in the Economy
Landuse and Community Design	Goal 3.7A, Landuse and Infill

Comprehensive Plan

The use is generally consistent with the recommended land use designation for industrial development. The Industrial definition in the comprehensive plan is categorized as light and heavy industrial uses, distribution and warehouse developments. The proposed development is considered a light industrial use in nature, which is also compatible in CP-2 zoning. The construction of this new project will bring value to this long vacant property. It will provide additional employment opportunities as well as another source of income for the City.

6. Analysis

Background and History

The proposed commercial preliminary development plan and special use permit is for the construction of a single-story building for autobody repair and paint shop. The lot is currently vacant.

- November 20, 2008 – City Council approved the rezoning (Appl. #2008-140) from district CP-2 and PI-1 to CP-2 and preliminary development plan (Appl. #2008-141) by Ordinance No. 6731.
- January 13, 2008 – Staff approved the minor plat for Chapman Plaza, Lots 1 and 2 (Appl. #2008-143).
- December 10, 2010 – Staff approved the minor plat for Chapman Plaza II, Lots 1, 2,3 (Appl. #2010-007). The minor plat was recorded with the Jackson County Recorder of Deeds office by Document # 2010E0122508.

Compatibility

The proposed autobody repair and paint shop is permitted in a CP-2 zoning district with a special use permit under major automotive repair. This development would be on the north side of US 50 Highway and would be neighboring a variety of commercial businesses: restaurants, lawn mower dealer, autobody repair, hotel,

etc. The building appearance will have a stone and EIFS front façade, and the additional three sides will have EIFS and concrete.

Adverse Impacts

The proposed development will not impede the normal and orderly development of the surrounding area. Since there is limited space for an above ground detention basin the runoff will be captured and treated by an underground detention system. The outfall of the underground detention system will exit the site by another storm sewer to an existing catch basin storm structure located within the existing drainage easement at the northeast of the site in Lot 3 Chapman Plaza II.

The proposed development has two options for where they would like to have their main access point. They could potentially have one off of SE 7th Terrace or one off of SE Blue Parkway. The applicant feels it would be more beneficial to have a landscape buffer and fence along SE 7th Terrace property line and have only one primary access off of SE Blue Parkway.

Public Services

The proposed development will tie into the existing water, sanitary sewer, and street infrastructure and will not have a negative impact.

The project will have its own underground detention basin to capture the majority of the stormwater runoff. The proposed development traffic circulation is predicted not to generate more than 100 peak hours trips; which allows it to fall under the minimum conditions in the Access Management Code for Traffic Impact Studies.

Under the UDO Sec. 7.280, sidewalks are required on both sides of the streets. However, since there are no sidewalks on either side along SE 7th Terrace or SE Blue Parkway in the area, the applicant has requested to “pay a fee in lieu of sidewalk construction”. Under UDO Sec. 7.370. the applicant can submit a written request to the Director of Development Service for Payment in lieu of sidewalk construction. The director received the written request dated August 12, 2021. The director has written a letter of approval for the payment in lieu of construction on August 23, 2021, with the consideration that the nearest sidewalk is approximately 3,500 feet to the east of the proposed project. Therefore, if the applicant were to build a sidewalk, instead of creating a connection, it would create a gap that would not be beneficial to residents.

Recommendation

With the conditions of approval below, the application meets the requirements of the UDO and the Design & Construction Manual (DCM).

7. Recommended Conditions of Approval

Site Specific

1. The development shall be in accordance with the Preliminary Development Plan consisting of 29 pages:
 - Cover Sheet, dated September 3, 2021

- ALTA/NSPS Survey, dated June 1, 2021
 - Demolition Plan, dated September 3, 2021
 - Erosion Control, dated September 3, 2021-4 pages
 - Site Plan, dated September 3, 2021-5 pages
 - Grading Plan, dated September 3, 2021
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 - Storm Details, dated September 3, 2021-2 pages
 - UGD Details, dated September 3, 2021-2 pages
 - Utility Plan, dated September 3, 2021-2 pages
 - Utility Details, dated September 3, 2021-3 pages
 - Landscape Plan, dated September 3, 2021-2 pages
 - Sight Distance Exhibit, dated September 3, 2021
 - Architectural Elevations, dated September 3, 2021-2 pages
 - Lighting Plan, dated September 3, 2021
2. The special use permit shall be granted for a period of 30 years.
 3. Construction of sidewalks along the subject property's SE Blue Pkwy and SE 7th Terr frontages shall not be required of the developer as part of the subject development in accordance with the Payment in Lieu of Construction approval letter dated August 23, 2021.

Standard Conditions of Approval

4. All required engineering plans and studies, including water lines, sanitary sewers, storm drainage, streets and erosion and sediment control shall be submitted along with the final development plan. All public infrastructure must be substantially complete, prior to the issuance of any certificates of occupancy.
5. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the associated engineering plans and prior to the issuance of any site development permits or the start of construction (excluding land disturbance permit).
6. A Land Disturbance Permit shall be obtained from the City if groundbreaking will take place prior to the issuance of a site development permit, building permit, or prior to the approval of the Final Development Plan / Engineering Plans.
7. Certain aspects of the development plan will be further reviewed during the Final Development Plan phase of the project. This includes detailed aspects of the design to help ensure that the plan meets the design criteria and specifications contained in the Design and Construction Manual.
8. Private parking lots shall follow Article 8 of the Unified Development Ordinance for pavement thickness and base requirements.
9. Any future repair work to public infrastructure (e.g., water main repair, sanitary sewer repair, storm sewer repair, etc.) within public easements will not necessarily include the repair of pavement, curbing, landscaping, or other private improvements which are located within the easement.