



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-365
File Name	SPECIAL USE PERMIT renewal for truck rental
Applicant	Josh Prejean
Property Address	809 SE Douglas St
Planning Commission Date	February 25, 2021
Heard by	Planning Commission and City Council
Analyst	Hector Soto, Jr., AICP, Planning Manager
Checked By	Kent D. Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: December 8, 2020

Neighborhood meeting conducted: The requirement for an applicant to hold in-person neighborhood meetings pursuant to UDO §2.205 has been suspended during the period of the Emergency Declaration which will end on March 31, 2021, unless earlier terminated or further extended by the Mayor. Pursuant to the Mayor's Emergency Order, Applicants are encouraged to use all available alternative methods of communication to inform neighbors of each pending application and solicit neighbors' input and feedback and provide answers to questions about proposed land development.

Newspaper notification published on: February 6, 2021

Radius notices mailed to properties within 300 feet on: February 4, 2021

Site posted notice on: February 5, 2021

Table of Contents

1. Project Data and Facts	2
2. Land Use	2
3. Project Proposal	3
4. Unified Development Ordinance (UDO)	3
5. Comprehensive Plan	4
6. Analysis	4

Attachments

Site Plan

Applicant narrative and response to SUP criteria – 2 pages

Photos of surrounding properties – 5 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Josh Prejean / Owner
Applicant’s Representative	Josh Prejean
Location of Property	809 SE Douglas St
Size of Property	±0.56 acres
Zoning	CP-2 (Planned Community Commercial District)
Comprehensive Plan Designation	Old Lee’s Summit Neighborhood
Procedure	The Planning Commission makes a recommendation to the City Council on the proposed special use permit. The City Council takes final action on the special use permit. <i>Duration of Validity:</i> A special use permit shall be valid for a specific period of time if so stated in the permit.

Current Land Use
The site is developed with a 720 sq. ft. commercial building that currently houses Fine Lines barber shop and tattoo shop.

Description of Applicant’s Request
This application is to request approval for a special use permit (SUP) to allow U-Haul truck rentals on the subject property. Truck rentals will not be the primary business on the property, but rather a secondary business to the existing barber and tattoo shop. The applicant requests the SUP be granted for a 5-year time period.

2. Land Use

Description and Character of Surrounding Area
The subject property sits at the southern end of SE Douglas St, just north of SE Blue Pkwy. The subject property and properties to the south are commercial in nature and have commercial zoning. The subject property marks a transition point between commercial uses and zoning located along the US 50 Hwy/Blue Pkwy corridor and residential uses and zoning to the north toward downtown.

Adjacent Land Uses and Zoning

North:	Single-family residential / RP-2 (Planned Two-Family District)
South:	Commercial / CP-2
East:	Undeveloped tract / RP-2
West (across SE Douglas St):	Single-family residential / R-1 (Single-Family Residential District)

Site Characteristics
The site is developed with a 720 sq. ft. commercial building and associated parking lot.

3. Project Proposal

Site Design

Land Use	
Existing Use	Commercial building
Land Area	24,287 sq. ft. (0.56 acres)
Existing Parking Spaces	9

4. Unified Development Ordinance (UDO)

Section	Description
6.620, 6.630, 6.640, 6.650, 6.660	Special Use Permit
6.1050	Outdoor Sale or Lease of Motor Vehicles/Equipment
10.040	Lawful Nonconformities

A truck rental operation is allowed in the CP-2 zoning district with approval of a special use permit, subject to certain conditions. Use conditions currently in effect under the UDO for large motor vehicle sales and lease, and similar operations, include setback requirements, fencing restrictions and parking surface requirements as follows:

- Setbacks.
 - Required – Structures and vehicles for sale, lease or rental, must be set back 30 feet from all property lines or in compliance with the district’s setbacks lines, whichever is greater.
 - Proposed – The existing parking lot is set back 15 feet from the south property line, measured at its closest point. The rental truck display area will be the three (3) parking spaces closest to the south property line. A modification shall be required for the reduced setback.
- Fencing.
 - Required – No fencing is permitted in the area forward of the main building or within the front yard setback if no building exists on the premises.
 - Proposed – No fencing is proposed to be installed on the site as part of this application.
- Display/Storage.

- Required – All display or storage areas must be paved and the vehicles/equipment arranged in an orderly manner.
- Proposed – The rental trucks will be displayed within the three (3) parking spaces on the south side of the existing paved parking lot.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Economic Development	Objective 2.2
Commercial Development	Objective 4.3

6. Analysis

Background and History

- c. 1950 – A commercial building was constructed on the subject property.
- September 18, 1979 – The City Council approved a rezoning (Appl. #1979-017) from R-2 (now RP-2) to C-1 (now CP-2) by Ordinance No. 2049.
- November 9, 2020 – City staff opened a zoning violation case (CEZO20201449) on the subject property for the operation of a truck rental facility without a special use permit. The applicant subsequently submitted an application on December 7, 2020, to initiate the special use permit process.
- December 7, 2020 – The applicant submitted an application to initiate the special use permit process. Submittal of the application stays any zoning enforcement action, pending the outcome of the special use permit process.

The applicant seeks approval of a special use permit to operate a U-Haul truck rental operation from an existing commercial building that houses a barber shop and tattoo shop at 809 SE Douglas St. There is no building or parking lot expansion associated with the requested special use permit. Truck inventory is limited to parking spaces in excess of the minimum parking spaces required to serve the existing building, which in this case is three (3) excess parking spaces. The applicant requests that the special use permit renewal be approved for 5 years.

Compatibility

The proposed facility is not expected to negatively impact the surrounding neighborhood. The subject property sits at the transition point between commercial and residential uses at the southern end of the SE Douglas St corridor. The proposed use will operate from an existing commercial building.

Adverse Impacts

The truck rental facility is not expected to negatively impact the public health, safety and welfare.

Approval of an SUP will not create excessive storm water runoff, air pollution, water pollution, noise pollution or other environmental harm. The proposed use utilizes the existing parking lot, which will have a maximum capacity of 9 parking spaces.

Public Services

The truck rental facility has little or no impact on the existing public facilities and services. Access to the site is provided by SE Douglas St. The truck rental facility will generate a low amount of traffic onto the surrounding street network.

Approval of a special use permit will not impede the normal and orderly development and improvement of the surrounding property. The property sits an area characterized by established residential and commercial development. Public water, storm sewer and sanitary sewer infrastructure exists in the area.

Modifications

Display area setbacks. Staff supports the requested modification.

- Required – Vehicles for rental must be set back 30 feet from all property lines.
- Proposed – The existing parking lot is set back 15 feet from the south property line. The rental truck display area will be the three (3) parking spaces closest to the south property line.
- Recommended – The parking lot's 15-foot setback from the south property line is an existing condition. While using the parking spaces directly in front of the building for rental truck display would satisfy the setback requirement, the preference is to use those spaces for customer and employee parking. The reduced display area setback is not expected to negatively impact the abutting commercial property to the south. The typical parking lot setback from an abutting commercial property is 6 feet, so the existing parking lot is set back two and one-half times (2.5x) the required distance from the south property line. Staff supports the requested modification.

Recommendation

With the conditions of approval listed below, the application meets the requirements of the UDO.

7. Recommended Conditions of Approval

Site Specific

1. A modification shall be granted to the minimum 30 foot display area setback from all property lines, to allow a 15 foot setback from the south property line.
2. The special use permit shall be approved for a period of 5 years.
3. A van-accessible ADA parking space with adjacent access aisle shall be striped and posted within 30 days of the special use permit approval.