

# City of Lee's Summit

## Development Services Department

January 19, 2018

TO: Planning Commission  
PREPARED BY: Jennifer Thompson, Planner  
CHECKED BY: Josh Johnson, AICP, Assistant Director of Plan Services  
RE: **PUBLIC HEARING – Appl. #PL2018-008 – PRELIMINARY DEVELOPMENT PLAN – Animal Control Facility solar installation, 1991 SE Hamblen Rd; City of Lee's Summit, applicant**

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### Commentary

This application is to request approval for the installation of two ground-mounted solar collectors (arrays) at the Animal Control Facility located at 1991 SE Hamblen Rd. The solar arrays are proposed within the north side yard of the property and within ten (10) feet of the property line. The UDO states that ground-mounted solar arrays are to be located within a rear yard and at least twelve (12) feet inside the property line. The proposed location of the solar arrays requires modifications to the Unified Development Ordinance (UDO), Article 8. Accessory Uses and Structures. Staff supports the requested modifications.

### Recommendation

Staff recommends **APPROVAL** of the preliminary development plan, subject to the following:

1. A modification shall be granted to the requirement that the ground mounted solar array be located in the rear yard, to allow the ground mounted solar array to be located within a side yard.
2. A modification shall be granted to the minimum 12 foot setback for the ground mounted solar array, to allow a minimum 10 foot setback from the side property line.
3. Development shall be in accordance with the preliminary development plan date stamped January 5, 2018.

### Zoning and Land Use Information

**Location:** 1991 SE Hamblen Rd; Animal Control Facility

**Current Zoning:** PI (Planned Industrial)

**Surrounding zoning and use:**

**North:** PI (Planned Industrial) — City of Lee's Summit Maintenance Facility

**South:** PI (Planned Industrial) — City of Lee's Summit Resource Recovery Park

**East:** PI (Planned Industrial) — City of Lee's Summit Resource Recovery Park

**West (across SE Hamblen Rd):** PI (Planned Industrial) — vacant ground and industrial uses

**Site Characteristics.** The subject property is the site of the City of Lee’s Summit Animal Control Facility. There are two six (6) foot, chain link fenced areas both on the north and south sides of the facility. The south fenced area accommodates animals; the north fenced area is the location of the proposed solar arrays.

**Description and Character of Surrounding Area.** The subject property is located at 1991 SE Hamblen Rd., east of SE Hamblen Rd and south of SE Bailey Rd. The areas to the north, south and east are developed as the City’s Public Works Maintenance Facility (north) and the City’s Resource Recovery Park (south and east). The area west of SE Hamblen Rd is largely vacant with some industrial uses.

**Project Information**

<b>Current Use:</b> City of Lee’s Summit Animal Control Facility
<b>Proposed Use:</b> installation of two (2) ground mounted solar arrays
<b>Land Area:</b> 217,800 sq. ft.; five (5) acres

**Public Notification**

<b>Neighborhood meeting conducted:</b> n/a
<b>Newspaper notification published:</b> January 6, 2018
<b>Radius notices mailed to properties within 185 feet:</b> January 5, 2018

**Process**

<b>Procedure:</b> The Planning Commission makes a recommendation to the City Council on the proposed preliminary development plan. The City Council takes final action on the preliminary development plan application.
<b>Duration of Validity:</b> 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.

**Unified Development Ordinance**

Applicable Section(s)	Description
4.300, 4.310, 4.320	Preliminary Development Plan
8.150	Accessory Uses and Structures. Solar Collectors

**Background**

On June 15, 2017, a Lee’s Summit High School Student, Zach Burton, addressed the City Council in regards to a solar panel project he had been researching. He made a presentation and proposal to the City Council giving details on where the solar array should be placed and gave estimates on costs. The City Council directed staff to work with Mr. Burton to explore the project’s feasibility within the City’s budget. Staff then pursued an RFP process for a ‘design-build’ of the solar array. The bid was awarded to MC Power, who gave lease option for the equipment. The City entered into a lease agreement to commence the project.

## Analysis of the Preliminary Development Plan

**Ground-mounted solar arrays.** Modification requested. Staff supports the requested modifications.

- Required – Ground-mounted solar arrays shall not exceed eight (8) feet in total height; shall be located within the rear yard at least twelve (12) feet inside the property line; and all lines serving the ground-mounted solar arrays shall be located underground.
- Proposed – The applicant requests to install two ground-mounted solar arrays that are eight (8) feet in height and are located within the north side yard approximately ten (10) feet from the property line. All lines serving the solar arrays will be located underground.
- Recommendation – Staff supports the modification requests. The ten (10) foot setback will provide additional spacing and clearance to make adjustments as needed between the two arrays and help ensure that the arrays will be able to fit in the desired location so as not to create and/or limit any possible shading concerns.

The proposed location of the solar arrays in the north “side yard” versus the rear yard is ideal because the north area is already enclosed by existing six (6) foot security fencing and is in relative close proximity to the existing electrical service where the solar arrays will tie into.

## Code and Ordinance Requirements

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

### **Fire**

1. IFC 605.11.4 Ground-mounted photovoltaic arrays. Ground-mounted photovoltaic arrays shall comply with Sections 605.11 through 605.11.2 and this section. Setback requirements shall not apply to ground-mounted, free-standing photovoltaic arrays. A clear, brush-free area of 10 feet (3048 mm) shall be required for ground-mounted photovoltaic arrays.

### **Planning**

2. A building permit shall be obtained prior to the installation of the ground-mounted solar arrays.

Attachments:

1. Site Plan, date stamped January 5, 2018 – 1 page
2. Ground mounted unit specification sheet, date stamped January 5, 2018 – 1 page
3. Request for Modification, by applicant, date stamped January 5, 2018 – 1 page
4. Location Map