



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2022-154 – COMPREHENSIVE PLAN AMENDMENT – Change in land use designation from Mixed Use to Industrial for LS Industrial, approximately 49.85 acres located at the southeast corner of South M-291 Hwy and SW Bailey Rd
Applicant	LS Industrial LLC
Location	Approximately 49.85 acres located at the southeast corner of M-291 Hwy and SW Bailey Rd
Planning Commission Date Heard by	May 26, 2022 Planning Commission
Analyst	Victoria Nelson, Planner
Checked By	Hector Soto, Jr., AICP, Senior Planner

Public Notification

Pre-application held: October 26, 2021
Neighborhood meeting conducted: May 4, 2022
Newspaper notification published on: April 23, 2022
Radius notices mailed to properties within 300 feet on: April 21, 2022
Site posted notice on: April 22, 2022

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Attachments

Comprehensive Plan Amendment Exhibit, revision date April 26, 2022 – 1 page

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	LS Industrial LLC / Developer
Applicant's Representative	Gary O'Dell
Location of Property	SE corner of MO 291 HWY and SE Bailey Rd
Size of Property	±49.85 Acres
Existing Zoning	PMIX (Planned Mixed Use District)
Proposed Zoning	PI (Planned Industrial District)
Comprehensive Plan Designation (existing)	Mixed Use
Comprehensive Plan Designation (proposed)	Industrial
Procedure	Consideration of a Comprehensive Plan, an amendment to the Comprehensive Plan, or a Capital Improvement Plan, shall require a public hearing before the Commission, following publication notice as provided in Article 2, of the Unified Development Ordinance. The Comprehensive Plan of the City and all amendments to the Comprehensive Plan, and the Capital Improvement Plan, shall be approved by Resolution of the Commission.

Current Land Use

The entire property in question is a vacant piece of land.

Description of Applicant's Request

The applicant proposes to amend the 2021 Ignite Comprehensive Plan land use designation from Mixed-Use to Industrial to allow for the construction of and industrial development to house manufacturing, production, or a distribution center uses. A specific user has yet to be determined for the site. This application is associated with Appl. #PL2022-122 for a rezoning and preliminary development plan for the proposed LS Industrial, also on this agenda.

2. Land Use

Description and Character of Surrounding Area



The subject property is located east of South MO-291 Hwy, north of SE 16th St, south of SE Bailey Rd and west of the Union Pacific railroad tracks. Bordering the property to the south and past the railroad tracks to the east are industrial uses. Across MO-291 Hwy to the west is a mix of commercial and industrial.

Adjacent Land Uses and Zoning

North (across SE Bailey Rd):	Zoetis production facility and vacant ground/ PMIX
South:	Mix of industrial businesses /PI
East (across railroad tracks):	Mix of industrial businesses / PI
West:	MO-291 Hwy

Site Characteristics
The site generally slopes from north to south. The site does have three natural drainageways that converge at the southern property boundary before leaving the site. One of the natural drainageways is considered to be a U.S. Army Corps of Engineers jurisdictional waterway.

Special Considerations
The subject property lies within the boundaries of the EnVision LS development area, which is an overlay intended to target development/redevelopment opportunities around the US 50 Hwy/South M-291 Hwy interchange. More specifically, the subject property lies within the sub-area called <i>The Grove</i> , eponymously named after the 85-acre mixed use development that was part of a PMIX rezoning and preliminary development plan.

3. Unified Development Ordinance (UDO)

Section	Description
2.220	Comprehensive Plan, Comprehensive Plan Amendment and Capital Improvement

Unified Development Ordinance (UDO)

The applicant proposes an industrial development on the subject property to house uses such as manufacturing, warehousing and distribution. The range of proposed uses are allowed in PI (Planned Industrial) zoning under the UDO. If the associated rezoning and preliminary development plan application is approved, the subject comprehensive plan amendment changing the land use designation from Mixed-Use to Industrial brings the property’s land use designation into alignment with the zoning.

4. Comprehensive Plan

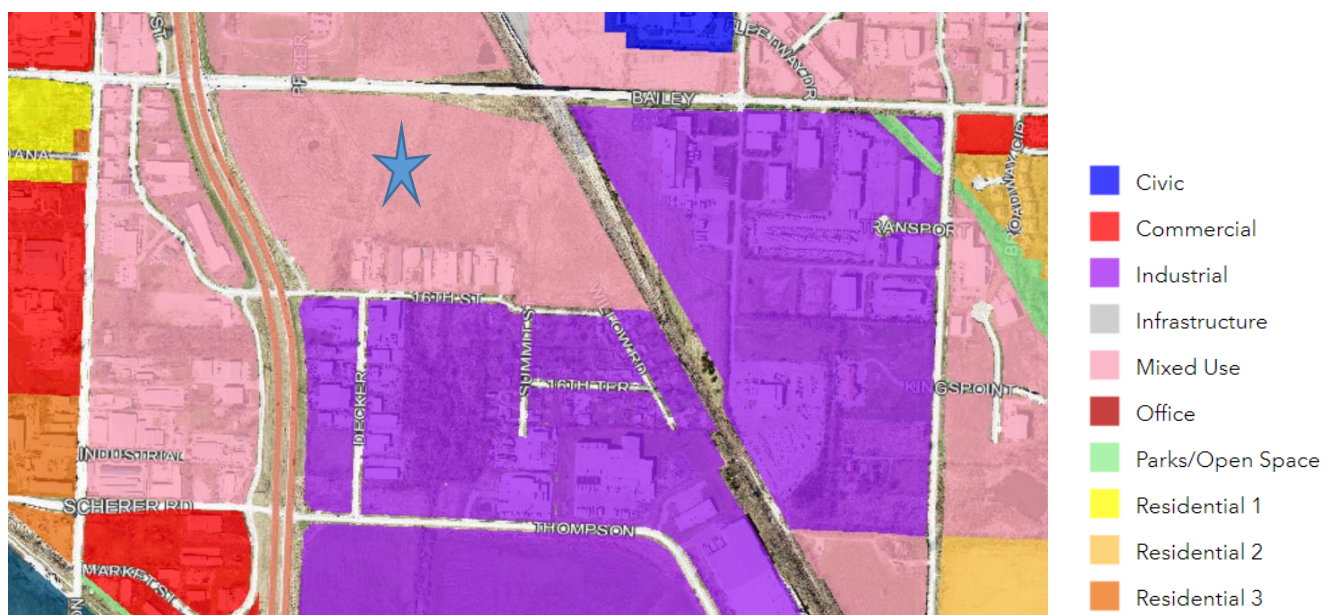
Focus Areas	Goals, Objectives & Policies
Resilient Economy	Goal 3.3.A. Build an adaptable framework for continued growth in a changing environment.

Comprehensive Plan

The 2021 Ignite Comprehensive Plan land use map identifies the subject site as Mixed-Use. The Mixed-Use designation is intended for a mix of retail, office, service and public uses with a complementary mix of residential development of varying densities to provide for the greatest amount of flexibility. The physical layout should aim toward areas that are around intersections of an arterial or collector street and be easily accessible by walking, bicycling, and by transit.

Industrial is defined as having light and heavy industrial uses, distributions and warehouse developments. Sites should have access to arterial, highway, or interstate with 1/8 mile. The access should not go through adjacent residential areas.

With the surrounding areas being designated as Industrial and with the applicant’s proposal for an industrial development for future production, manufacturing, or distribution uses, the vacant parcel of land is not only suitable, but it meets the requirements of the comprehensive plan’s Industrial definition.



5. Analysis

Background and History

- December 29, 1951 – The Pfizer property and surrounding, located north of SW Persels Rd/SE Bailey Rd, was annexed into the City of Lee’s Summit.
- December 29, 1954 – The City’s first zoning ordinance (Ord. #421) was adopted. This zoning ordinance placed the zoning designation of C-6 on the subject property located north of SW Persels Rd/SE Bailey Rd. District C (Highway Business and Industrial) allowed a variety of uses including wholesale, storage, warehousing, processing, and manufacturing.
- September 16, 1959 – The subject property located south of SW Persels Rd/SE Bailey Rd, including the properties located north of SE Thompson Drive, was annexed into the City of Lee’s Summit.
- March 27, 1962 – City adopted Zoning Ordinance #715. The subject property was identified as M-1 (Light Industrial) under this zoning ordinance.
- November 1, 2001 – The Unified Development Ordinance (UDO) became effective and changed District M-1 (Light Industrial) to District PI (Planned Industrial).
- September 13, 2005 – Planning Commission approved Resolution 05-03 amending the Comprehensive Plan to change the preferred land use from industrial and low-density residential to planned mixed-use on the land located south of U.S. 50 Hwy, on both sides of M-291 Hwy, to SW Persels Road on the west side of M-291 Hwy and to just south of SE 16th Street on the east side of M-291 Hwy.
- November 9, 2005 – Rezoning (Appl. #2005-369) and preliminary development plan (Appl. #2005-370) applications were filed for the property generally located south of U.S. 50 Hwy on both sides of M-291 Hwy (City Walk). That application contained a total of 182.25 acres. The Calmar site (called the Retail A site on the City Walk plan) encompassed 24.81 acres with 218,000 sq. ft. of retail building and 12,000 sq. ft. of fast food/retail building. In December 2006, the applications were withdrawn after a motion to approve the City Walk Tax Increment Financing plan failed.
- April 12, 2007 – City Council approved rezoning (Appl. #2007-016) from PI-1 to CP-2 and preliminary development plan (Appl. #2007-017) for the Shops at Bridgepoint.
- December 22, 2010 – A minor plat (Appl. #2009-097) of *Pfizer Way* was recorded at the Jackson County Recorder of Deeds Office by Instrument #2010E0126141.
- November 3, 2016 – The City Council approved a City-initiated rezoning (Appl. #PL2016-158) from CP-2, PI, and PMIX to PMIX and conceptual development plan for approximately 237 acres generally bounded by Pine Tree Plaza, US 50 Hwy, Adesa property, SW Jefferson Street (west of M-291 Hwy), SE 16th Street (east of M-29 Hwy), Union Pacific Railroad right-of-way and south M-291 Hwy by Ord. #8013.
- November 27, 2016 – An ordinance approving a preliminary development plan (Appl. #PL2016-165) for *The Grove* on approximately 73 acres zoned Planned Mixed Use (PMIX) located at the northeast and southeast corners of SE M-291 Hwy and SE Bailey Road was deemed approved by Ord. #8021 under Section 3.13(g) and Section 4.4(c) of the Charter of the City of Lee’s Summit, Missouri, First Amended, November, 2007, due the Mayor’s failure to either sign or disapprove the same within ten days of receipt.

- March 7, 2017 – The City Council approved the Area Development Plan (ADP) (Appl. #2017-010) for *Envision LS* by Ordinance No. 8105
- August 6, 2019 – The City Council approved the Unified Development Ordinance Amendment #5, (Appl. #2019-134) for Article 5 Overlay Districts Division VII *Envision LS* Area Development Plan (ADP) Design Standards; and Articles 15 rules of interpretations and definitions, Division II Definitions by Ordinance No. 8694.
- August 8, 2019 – The City Council approved the Unified Development Ordinance Amendment #5A, (Appl. #2019-134) for Article 5 Overlay Districts Division VIII *Envision LS* Area Development Plan (ADP) Design Standards, establishment of an appeal process for prohibited uses, by Ordinance No. 8693.

Compatibility

The proposed amendment is consistent with the PI zoning to the south of SE 16th St, west of M-291 Hwy and east of the railroad tracks. The proposed amendment is also consistent with the Industrial land use designation under the Ignite Comprehensive Plan to the south and east.

Adverse Impacts

The proposed comprehensive plan amendment is not expected to injure or detrimentally affect the surrounding properties. The proposed Industrial land use designation will match the areas to the east and south.

Public Services

The future development will be able to tie into the surrounding public infrastructure, with certain traffic, stormwater and sewer line improvements as detailed in the staff report for the associated rezoning and preliminary development plan application.

Recommendation

For the reasoning stated above, staff finds the proposed Industrial land use category designation to be substantially consistent with the adopted plan and furthers the specified goals and objectives of the Ignite Comprehensive Plan.

6. Recommended Conditions of Approval

Standard Conditions of Approval

1. Approval of the subject Comprehensive Plan Amendment shall be contingent upon City Council approval of Application #PL2022-122 - REZONING from PMIX to PI and PRELIMINARY DEVELOPMENT PLAN – LS Industrial, approximately 49.85 acres located at the southeast corner of M-291 Hwy and SE Bailey Rd.