

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR RECREATIONAL FACILITY LIGHTING IN DISTRICTS PI AND R-1 ON LAND LOCATED AT 1500 SW JEFFERSON STREET FOR A PERIOD OF 10 YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-030, submitted by Guenther Mills Keating, requesting a special use permit for outdoor recreational facility lighting in Districts PI and R-1 on land located at 1500 SW Jefferson Street, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on April 12, 2016, and rendered a report to the City Council containing findings of fact and a recommendation that the special use permit be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on May 5, 2016, and rendered a decision to grant said special use permit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the application pursuant to Section 10.520 of the Unified Development Ordinance to allow for outdoor recreational facility lighting in Districts PI and R-1 with a Special Use Permit is hereby granted for a period of 10 (ten) years, with respect to the following described property:

Lot 1A, Lee's Summit Community Christian School.

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of 10 years.

SECTION 3. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City Unified Development Ordinance, enacted by Ordinance No. 5209, amended from time to time.

SECTION 4. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this 5th day of May, 2016.



Mayor Randall L. Rhoads

ATTEST:


City Clerk *Denise R. Chisum*

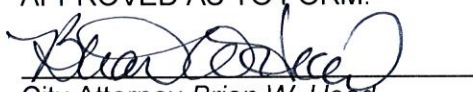
APPROVED by the Mayor of said city this 6th day of May, 2016.


Mayor *Randall L. Rhoads*

ATTEST:


City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:


City Attorney *Brian W. Head*

City of Lee's Summit

Department of Planning & Codes Administration

April 8, 2016

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director *RMK*
RE: **PUBLIC HEARING – Appl. #PL2016-030 – SPECIAL USE PERMIT for outdoor recreational facility lighting – Summit Christian Academy, 1500 SW Jefferson St.; Guenther Mills Keating Architects, applicant**

Commentary

The applicant requests a special use permit for outdoor recreational facility lighting located at 1500 SW Jefferson Street. The lighting will be for 1 baseball field and 1 soccer/football field. The property currently consists of an elementary and secondary school facility with an existing dedicated soccer field, an existing soccer/football field and an existing baseball field. The dedicated soccer field will remain unilluminated. The applicant requests the special use permit be granted for an indefinite time period. Staff recommends 10 years as it is consistent with the time period typically granted to other special use permits for the lighting of outdoor recreational facilities.

Recommendation

Staff recommends **APPROVAL** of the special use permit, subject to the following:

1. The special use permit shall be granted for a period of 10 years.

Project Information

Proposed Use: outdoor ballfield lighting

Current Zoning: PI (Planned Industrial) and R-1 (Single-Family Residential)

Land Area: 277,162 square feet (6.36 acres)

Location: 1500 SW Jefferson Street

Surrounding zoning and use:

North: R-1 (Single-Family Residential)—Lee's Summit Community Church and single-family residential to the northwest

South: PI (Planned Industrial)—office/warehouse

East (across SW Jefferson Street): PI—office/warehouse

West (across railroad tracks): RP-3 (Planned Residential Mixed Use)—Scherer Crossing and Scherer Ridge Villas townhomes

Background

- July 14, 1998 – The City Council approved the final site plan (Appl. #1998-169) for Lee's Summit Community Christian School, to be constructed in two phases, totaling 45,675 square feet.
- March 18, 1999 – The City Council approved a special use permit (Appl. #1998-081) for four modular classroom units on the property for a period of four years by Ord. #4746. Under

the UDO, approved in 2001, modular classroom units for schools no longer require a special use permit.

- February 20, 2003 – The City Council approved a preliminary development plan (Appl. #2003-303) for a 78,000 sq. ft. high school to be built behind the existing elementary school by Ord. #5490. That preliminary development plan expired February 20, 2005.
- June 9, 2005 – The City Council approved a rezoning (Appl. #2009-039) and preliminary development plan (Appl. #2009-041) on the 10-acre tract to the south of the existing elementary school, for Lee's Summit Community Christian High School, at 1500 SW Jefferson Street, Ord. #5970.
- September 21, 2006 – The City Council approved a preliminary development plan (Appl. #2006-137) for 1500 SW Jefferson Street for the purpose of amending the conditions of approval of Ord. #5970 by passing Ord. #6280.

Analysis of the Special Use Permit

Ordinance Requirement. Under the Unified Development Ordinance (UDO), a special use permit is required for outdoor recreational facility lighting. Section 10.520 of the UDO lists the following conditions:

1. Setbacks from residentially zoned or used property boundaries

- a. Courts and fields for one- or two-person teams (e.g., tennis courts) shall be set back at least fifty (50) feet. Courts and fields for three-or-more person teams shall be setback at least one hundred (100) feet. All lighted courts and fields shall be setback one hundred (100) feet.** The closest field is the soccer/football field and it is approximately 112 feet at its closest point.
- b. Spectator seating areas shall be setback from such boundaries at least one hundred (100) feet and shall be located and oriented to minimize noise at such boundaries.** Existing bleachers are on the west side of the soccer/football field, approximately 300 feet away from the nearest residential property. Future bleachers are shown to be relocated to the eastern side of the soccer/football field and are over 400 feet away from the residentially zoned properties to the northwest of the field.
- c. A fence more than six (6) feet in height shall be setback from such boundaries a distance equal to the height of the fence.** Any existing fencing is set back more than equal to the height of the fence.

2. Sound and Light

- a. A sound amplification system or any other noise caused by the operation shall not exceed those established by Lee's Summit's Noise Ordinance as measured at such boundary.** The applicant is aware.
- b. Outdoor lighting shall be so designed that light sources are not visible from such boundaries and reflectors and baffles at the light sources direct light away from such boundaries.** The lights are oriented in such a way that the lighting is directed down at the fields.

- 3. Access to the property shall be directly from arterial or collector streets, and traffic generation and other effects will be handled so as not to adversely affect adjoining property.** The property is accessed via Jefferson Street, which is a collector street.

4. **Landscaping, berming, or fencing shall be provided as required to minimize adverse effects.** A modification to the required high-impact landscaping screen was approved by Ord. #5970, approved by City Council on June 9, 2005.

Ordinance Criteria. The criteria enumerated in Section 10.050 as well as the regulations in Section 10.520, addressed above, were considered in the analysis of this request.

- The property currently consists of an elementary and secondary school facility with an existing dedicated soccer field, an existing soccer/football field and an existing baseball field.
- The proposed use is not expected to negatively impact traffic and/or parking in the area.

In considering all the criteria and regulations, staff finds the use to be appropriate and recommends approval of the special use permit.

Time Period. The applicant has requested a special use permit be granted for an indefinite time period. Staff recommends the special use permit be granted for a time period of 10 years, which is consistent with the time period granted to other outdoor recreational facility special use permits.

Recommendation. Staff recommends approval of the special use permit for a time period of 10 years. The ballfields are existing and the proposed lighting levels are near zero at the shared residential property line. Use of the fields is seasonal, with night games taking place once a week during football season. This seasonal night use of the fields helps to mitigate the impact of the facility on the adjacent residential uses.

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. 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 of fire fighters and emergency responders during emergency operations, shall be in accordance with the 2012 International Fire Code.

RGM/cs

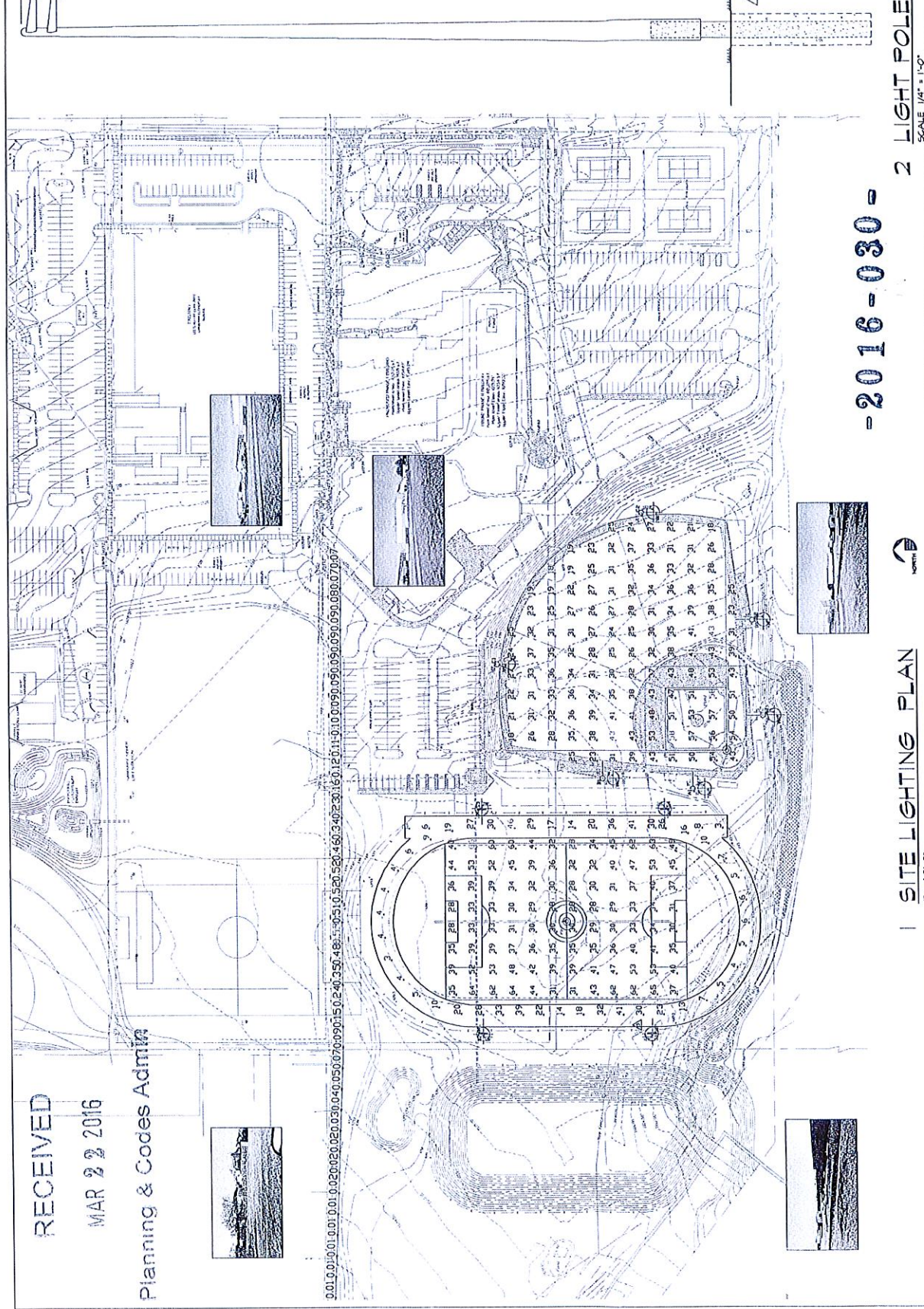
Attachments:

1. Site Lighting Plan, date stamped March 22, 2016—1 page
2. Special Use Permit criteria addressed by the applicant, date stamped April 7 , 2016—2 pages
3. Photos of subject property and surrounding property, date stamped April 4, 2016—4 pages
4. Location Map

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SITE LIGHTING PLAN

1" = 60'-0"



-2016-030-

2 LIGHT POLE DTL

SCALE 1/4" = 1'-0"

GUNTHEER • MILLIS • KEATING
 ARCHITECTS
 6532 BLUE RIDGE CUT - OFF, RAYTON, MD 6439 (DIE) 556-1555
 LEES SUMMIT COMMUNITY CHRISTIAN HIGH SCHOOL
 1500 SW JEFFERSON ST
 LEES SUMMIT, MISSOURI
 CONCEPT ARCHITECTURAL DATA NOTES
 DATE: 03/22/16
 DRAWN BY: []
 CHECKED BY: []
 SCALE: 1/4" = 1'-0"
 SHEET NO.: SL10 OF 2





GUENTHER • MILLS • KEATING ARCHITECTS

6532 BLUE RIDGE CUTOFF, RAYTOWN, MO 64133 (816) 356-7555 FAX (816) 356-7567

April 5, 2016

To: Christina Stanton AICP, Senior Planner
Planning Department
220 South East Green Street
Lee's Summit, Mo.64063

Re: Summit Christian Academy
Field Lighting Special Use Permit Application

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In response to your April 4, 2016 email regarding the 16 items, Section 10.050.B please note the following:

01. The Character of the neighborhood bordering the entire school site consists of industrial and business properties to the east and south and immediate west, Lee's Summit Community Christian Church to the north and the southeast most corner of the Oxford Point residential subdivision to the northwest.
02. We feel that the development of the school facility has provided a vast improvement to the entire area. With regards to zoning its use highly exceeds most of its surrounding neighbors and at a minimum complements the remainder.
03. The property is highly suited to its use. It already provides athletic fields for the sports of baseball, football, track and soccer. The addition of the lighting will greatly enhance the schools ability to schedule events.
04. We see no negative impact on any of the surrounding properties. It should have absolutely no effect on the businesses or industrial users in the area. As for the residential owners in the Oxford Point subdivision, on March 19, 2016, Brian Merrell representing the owner, personally visited the 6 closest homes to the project of the 11 identified by the city. Four of the six home owners who answered the door said they had absolutely no concern for the lights, Friday night games or the Saturday games already being played there. Some even said they would enjoy the opportunity to bring their family to a Friday night sporting event.
05. See note 4.
06. When the new Summit Christian Academy was constructed in 2006 Improvements were made to Jefferson Street to enhance traffic movement in the area. Because the fields were constructed at the same time and have been in use up to now no additional traffic is anticipated over what there is presently. The fact that the new lights would provide night use of the facility should even lessen the present amount of day traffic.
07. A complete storm sewer system for the entire area, including future building and road development, was constructed in 2006 when the first phase of the new High School building was completed. The addition of field light fixtures will have no additional impact on the present storm drainage system.
08. Noise pollution will not be an issue with the installation of these lights as the fields are directly adjacent properties not in use at the time the athletic events would be scheduled and the remaining small number of residential properties are at a greater than required distance, by the Udo, from the athletic facilities. The new lights are specifically designed to direct the light

output at the fields and highly minimize spillover. They are of the same type already approved by the city for use at many of the schools and city facilities in the area.

09. The development of this private facility has enhanced property values in the area. Further development of the facility as a whole should only help improve property values in the area.
10. The installation of lights on these fields will only help the school expand their involvement in the community as a whole by allowing greater flexibility of the use of the facilities for school and community events.
11. As a highly prized educational institution further development of these facilities can only provide a positive impact on the surrounding properties and the community as a whole.
12. Public facilities and services, other than street access to the area, would generally not play a role in the use of these facilities. In fact development of this property as a whole has improved area property values, greatly enhanced the management of storm water for the entire area as well as facilitated much needed improvements to the city water system.
13. As for benefits to the community see note 12. As for hardships to the school, as with any school, it would greatly hinder the school's ability to expand their sports programs by limiting the school to times when events could be scheduled with competing institutions.
14. Proposed project is in compliance with City of Lee's Summit UDO.
15. I am not sure what I am to address on this item. I assume that the City of Lee's Summit staff is in support of this Special Use Permit.
16. Considering this Special Use Permit is to allow lighting on sports fields which are already in existence we feel that is definitely consistent with the uses in the area.

Please call me at 913-999-3641 should you have any questions or feel I have misunderstood any of the related questions. Thank You.

Sincerely



Edward M Keating Jr.

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1450 SW Jefferson St. (Summit Christian Elementary School)

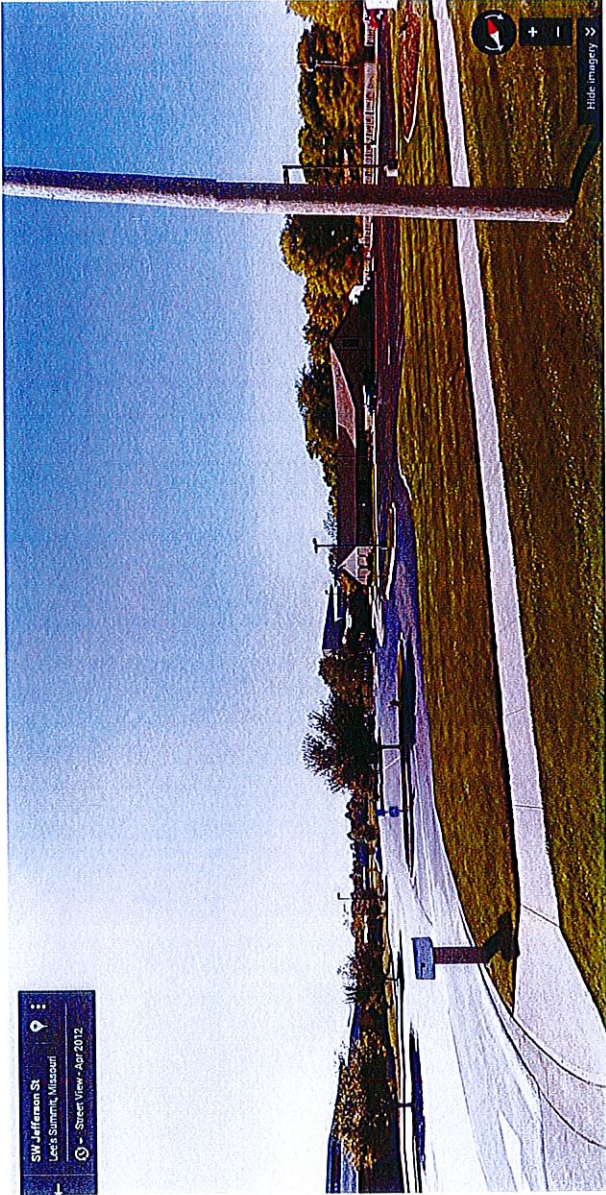


1500 SW Jefferson St. (Summit Christian High School)

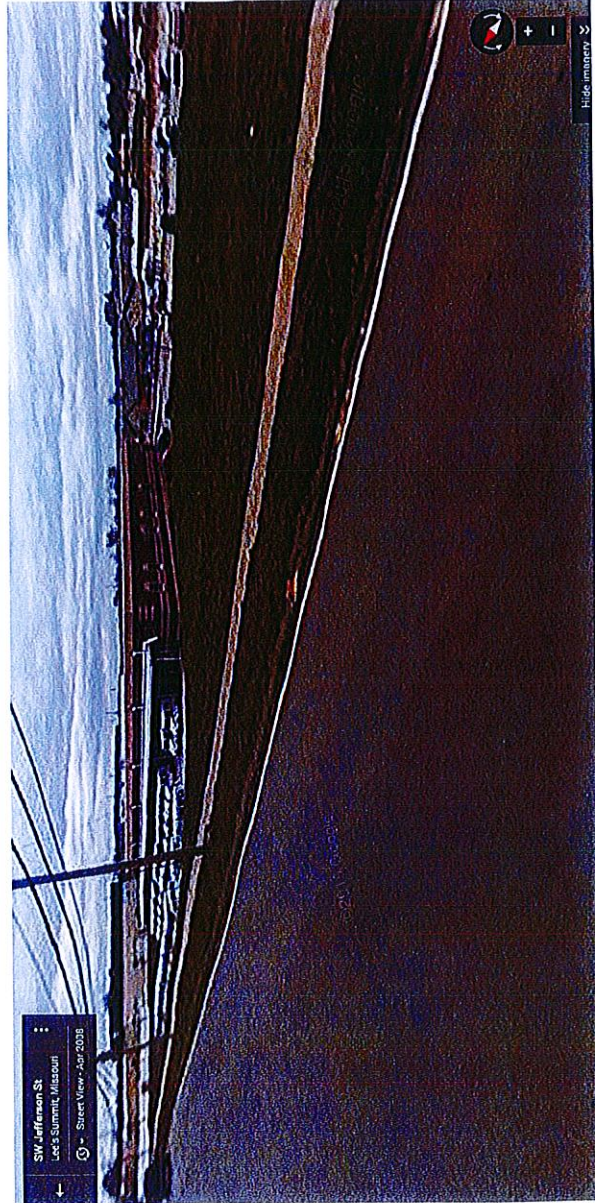
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1440 SW Jefferson St. (Lee's Summit Community Christian Church)



1404 SW Market St. (rear of post office east-northeast from property)

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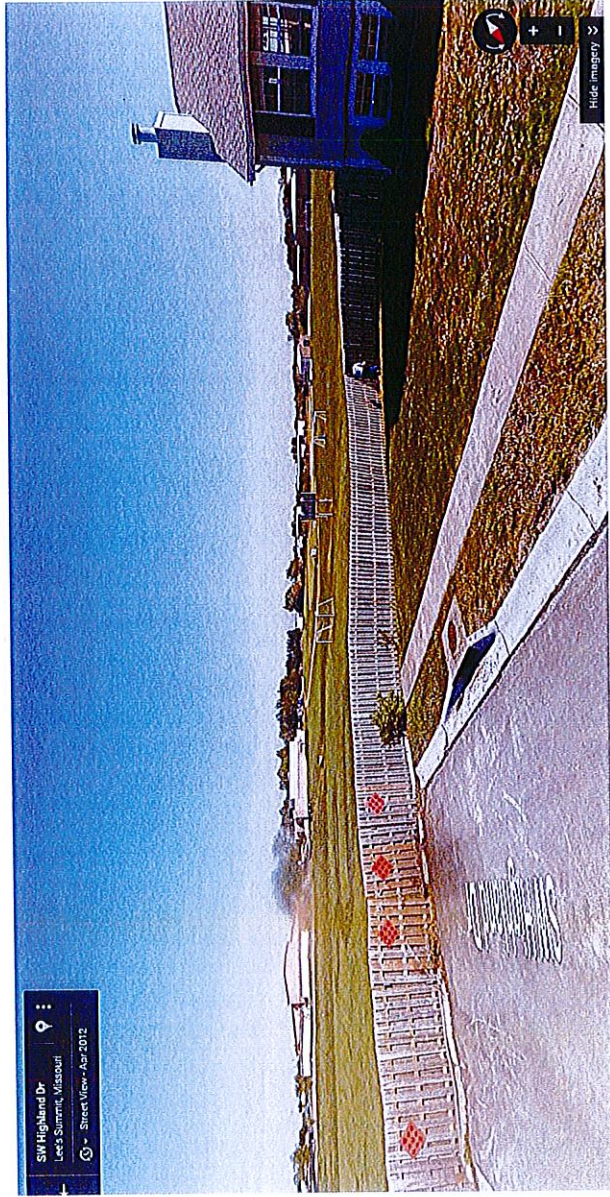
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1525 SW Jefferson St. (vacant industrially zoned lot, directly east of high school)



Industrial businesses located to the south on SW Jefferson St.



View of school property from end of SW Highland Dr.

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#PL2016-030 -- SPECIAL USE PERMIT for outdoor recreational facility lighting

Guenther Mills Keating Architects, applicant

