



**LEE'S SUMMIT**  
MISSOURI  
Development Services Department

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## Development Services Staff Report

<b>File Number</b>	PL2024-060
<b>File Name</b>	Special Use Permit for equipment rental
<b>Applicant</b>	McAdams
<b>Property Address</b>	1100 SE Hamblen Rd
<b>Planning Commission Date Heard by</b>	May 9, 2024 Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Planning Manager

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### Public Notification

Pre-application held: February 20, 2024  
Neighborhood meeting conducted: April 8, 2024  
Newspaper notification published on: April 20, 2024  
Radius notices mailed to properties within 300 feet on: April 17, 2024  
Site posted notice on: April 23, 2024

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### Attachments

Site Plan, dated February 29, 2024 – 1 page  
Modification request and narrative, upload date March 6, 2024 – 6 pages  
Photos of surrounding area, upload date March 6, 2024 – 2 pages  
Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	McAdams/Owner
Applicant's Representative	Rick Veno
Location of Property	1100 SE Hamblen Rd
Size of Property	4.72 acres (205,603.2 sq. ft.)
Number of Lots	1
Zoning (Existing)	PI (Planned Industrial)
Comprehensive Plan Designation	Mixed Use
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed special use permit and the City Council takes final action on the special use permit.</p> <p>Duration of Validity: A special use permit shall be valid for a specific period of time identified in the permit.</p>

Current Land Use
<p>The subject property is developed with an existing 18,910 sq. ft. industrial building and a fenced gravel lot located west of the building. The existing building was constructed in 1998 and was the previous location of a construction company.</p>

Description of Applicant's Request
<p>The applicant seeks approval of a special use permit (SUP) to allow the operation of an equipment rental facility on the subject existing developed site. The applicant requests approval of the SUP for a period of 10 years. The applicant is requesting modifications to the UDO's condition that outdoor equipment display or storage areas must be paved, and to the minimum display area setbacks so that display and storage of equipment may take place within the existing fenced gravel lot located west of the building. No exterior site improvements are proposed at this time.</p>

## 2. Land Use

Description and Character of Surrounding Area
<p>The subject property is located on the west side of SE Hamblen Rd. approximately 220 feet south of SE Oldham Rd. It is surrounded by industrially zoned properties to the north, south and west. The PMIX zoned Home Depot big box store is located to the east across SE Hamblen Rd.</p>



**Adjacent Land Uses and Zoning**

<b>North:</b>	Automotive repair and services / PI (Planned Industrial)
<b>South:</b>	Sutton Trucking /PI (Planned Industrial)
<b>East:</b>	Home Depot / PMIX (Planned Mixed Use)
<b>West:</b>	Sutton Trucking /PI (Planned Industrial)

**Site Characteristics**

The overall site is fairly flat but generally slopes from south to north. There is an existing gravel lot on the west and south sides of the property that is fenced. There is a paved hard surface parking/storage area surrounding the existing building. A 31-stall asphalt parking lot is located on the east side of the building adjacent to SE Hamblen Rd.



**Special Considerations**

None

### 3. Project Proposal

**Parking**

Proposed		Required	
Total parking spaces provided:	31 total (existing)	Total parking spaces required:	31
Accessible spaces provided:	1	Accessible spaces required:	1

**Existing Setbacks (Perimeter)**

Yard	Building Required	Building (Existing)
Front	20'	78'
Side (north)	10'	92'
Side (south)	10'	151'
Rear	20'	335'

Yard	Parking Required	Parking (Existing)
Front	20'	7'*
Side (north)	6'	18'
Side (south)	6'	114
Rear	6'	510'

\* This is an existing legal nonconforming situation as the development of the parking lot predated the current UDO standards

**Structure(s) Design**

<b>Number and Proposed Use of Buildings</b>
1 building (existing) for equipment rental facility
<b>Number of Stories</b>
2-story (existing)

**4. Unified Development Ordinance (UDO)**

Section	Description
4.220	Zoning Districts - PI (Planned Industrial District)
6.020	List of Permitted, Conditional and Special Uses
6.620	Special Use Permits (when required)

**Unified Development Ordinance**

The PI zoning district “is intended to provide areas for light manufacturing uses that primarily involve finishing or assembly of previously manufactured goods. The district is also intended to provide for the location of wholesaling, distribution or warehousing uses.” In addition to said intent of the previously mentioned uses for the PI district, equipment rental/lease facilities are special uses in the PI zoning district. The subject site is composed of an existing 18,910 sq. ft. building and a fenced, gravel storage yard west and south of the building.

**Use Conditions.** The use is subject to the following conditions:

1. 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 setback lines, whichever is greater.
  - **The existing gravel lot that will serve as the equipment yard extends right up to the property line along the west and south property lines, yielding a 0’ setback from the respective property lines. The minimum 30’ display area setback requirements will be met along the remaining property lines.**

The gravel lot was originally approved and constructed to serve as a material and equipment storage area for a general industrial use in 1998. The gravel lot was not subject to any setback requirements at the time of its approval. Since that time, the UDO has established a minimum 30' setback for heavy equipment and large vehicle display areas as a performance standard for the special use permit. As an existing condition for a gravel lot with 0' setbacks from the west and south property line that has been historically used as a storage area for industrial uses, staff supports a modification to allow 0' display area setbacks from the west and south property lines.

2. 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.
  - The site has an existing fence that ties into the front of the building and secures the building and paved parking lot. An existing fence also secures the existing gravel lot that will serve as the equipment yard.
3. All display or storage area must be paved and the vehicles/equipment arranged in an orderly manner.
  - The existing gravel lot west and south of the building is proposed to be used as an equipment display and storage yard. The applicant requests the ability to continue the use of a gravel surface rather than to pave said area.

The UDO allows the use of gravel for storage lots (not parking lots) instead of hard surface pavement to serve general industrial uses in the PI zoning district, provided the gravel surface is engineered to support the weight of anticipated loads. However, a paved display or storage area is a performance standard specific to uses engaged in the outdoor sale or lease of motor vehicles and heavy equipment. The use of gravel storage and display areas for similar heavy equipment facilities has been previously supported by staff and approved by City Council. Herc Rentals, Bledsoe Rentals and Sunbelt Rentals currently use gravel for heavy equipment storage and display areas. Staff supports a modification to allow the use of a gravel storage and display area.

**Special Use Permit Time Period**

Under Sec. 6.630 of the UDO, the applicant must request “[t]he length of term of the use after the date of issuance of the permit”. Similar equipment rental facilities have historically been granted special use permits for periods of 20-25 years. The applicant requests the special use permit be granted for a period of 10 years to coincide with the lease term options on the property.

**Neighborhood Meeting**

The applicant hosted a neighborhood meeting from 6:00pm to 8:00 pm at Super 8 by Wyndham (607 SE Oldham Pkwy) on April 8, 2024. A total of two (2) members of the public attended the meeting.

The meeting notes provided by the applicant generally indicate the following:

- The project proposal was discussed.
- Questions regarding site improvement were addressed (storm water & pavement).

## 5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Resilient Economy	Objective: Diversify Lee’s Summit economy. Objective: Increase business retention and grow business activity. Objective: Maintain a diverse and valuable tax base.
Land Use & Community Design	Objective: Plan for purposeful growth, revitalization and redevelopment.

The use is consistent with the Ignite Comprehensive Plan’s recommended land use designation of Mixed Use. This land use category includes industrial and warehouse uses. Operating the equipment lease/rental facility from the subject vacant site will bring renewed economic value and activity to this property, which falls in line with identified goals and objectives in the Ignite Comprehensive Plan.



## 6. Analysis

### Background and History

- February 24, 1997 – Staff administratively approved the minor plat (Appl. #1996-207) of *Auction Transport of Kansas City, Lot 1*.

### Compatibility

The proposed equipment lease/rental facility is an appropriate and compatible use for the subject industrial property. Hamblen Rd is an industrial corridor lined with a variety of industrial uses that include office-warehouses, manufacturing, distribution, transportation and utility service facilities. A significant number of area uses employ outdoor material/equipment and vehicle storage areas. The proposed equipment

lease/rental facility will employ the use of the existing gravel lot to the west of the existing building to store and display large equipment.

Proposed site improvements for the use will be limited to interior remodeling with no proposed changes to the building exterior or paved parking lot.

### **Adverse Impacts**

The proposed development will not impede the normal and orderly development of the surrounding property. The surrounding properties are fully developed projects. The proposed use is not expected to negatively impact future access or redevelopment opportunities for the abutting properties.

### **Public Services**

The site has existing sanitary sewer and water service. A site has two drives providing access to SE Hamblen Rd.

### **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. A modification shall be granted to the minimum 30' display area setback requirements from all property lines, to allow 0' setbacks from the west and south property lines.
2. A modification shall be granted to the condition that no fencing is permitted in the area forward of the main building, to allow for the existing fencing along the south property line to be forward of the building.
3. A modification shall be granted to the requirement for paved display and storage areas, to allow the use of the existing gravel lot as a display and storage area.
4. The special use permit shall be granted for a period of 10 years.

### **Standard Conditions of Approval**

5. 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 to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code.
6. IFC 105.6.20 - A Hazardous materials permit is required for the using, dispensing, transporting, handling, and/or storing of extremely hazardous substances. "Extremely Hazardous Substances (EHS) Facilities" are defined as facilities subject to the provisions of Superfund Amendments and Reauthorization Act of 1986 (SARA TITLE III), Section 302, for storing, dispensing, using, or handling of listed chemicals in excess of their threshold planning quantities (TPQ). See amended Section 5001.4 of the 2018 International Fire Code.