



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2021-464
File Name	PRELIMINARY DEVELOPMENT PLAN – F.I.T. Muscle and Joint Clinic
Applicant	Herron + Partners, applicant
Property Address/Location	413 NW Murray Rd.
Planning Commission Date Heard by	January 27, 2022 Planning Commission and City Council
Analyst	Jennifer Thompson, Senior Planner
Checked by	Hector Soto, Jr., AICP, Planning Manager Kent Monter, P.E., Development Engineer Manager

Public Notification

Pre-application held: n/a
Neighborhood meeting conducted: January 19, 2022
Newspaper notification published on: December 18, 2021
Radius notices mailed to properties within 300 feet on: January 12, 2022
Site posted notice on: December 22, 2021

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Attachments

Preliminary Development Plan and Elevations – 7 pages
Preliminary Development Plan with Landscaping Sheet – 5 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Herron + Partners, / Applicant
Applicant's Representative	Dave Herron
Location of Property	413 NW Murray Rd.
Size of Property	± 1.60 acres (70,030 sq. ft.)
Number of Lots	1 lot
Building Size	9,800 sq. ft. – (existing)
FAR (Floor Area Ratio)	0.13 – (existing)
Zoning	CP-2 (Planned district)
Comprehensive Plan Designation	Civic
Procedure	<p>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.</p> <p>Duration of Validity: 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.</p>

Current Land Use
The subject property consists of one lot with an existing 9,800 square foot commercial building located at 413 NW Murray Rd.

Description of Applicant's Request
<p>The applicant proposes an exterior renovation for the existing commercial building located at 413 NW Murray Rd. A preliminary development plan for the subject lot was approved in 2004 as part of the John Knox Village (JKV) East commercial development. The new owner has since identified a need to modify the exterior of the building to fit the needs of the F.I.T. Muscle and Joint Clinic business. Revisions to the exterior include a breathable paint in the color black and overhead garage doors that will face Hwy 50.</p> <p>The Unified Development Ordinance (UDO) does not authorize staff to administratively approve substantial changes to previously approved preliminary development plans. The proposed exterior changes reach the threshold of a substantial change from the previously approved preliminary development plan.</p>

Existing Exterior:



Proposed Exterior:





2. Land Use

Description and Character of Surrounding Area	
<p>The site is an established 1-lot property located at 413 NW Murray Rd. fronting on Hwy 50 and NW Murray Rd. The property to the north is zoned CP-2 with existing commercial uses and is part of the original JKV commercial development. To the south (across NW O’Brien Rd), are properties zoned CP-2 and RP-3 with commercial uses and townhomes. To the west is part of the John Knox Village development zoned PMIX. To the east (across Hwy 50) is property zoned CP-2 and AG that includes commercial uses and a park.</p>	

Adjacent Land Uses and Zoning

North:	Commercial uses / CP-2 (Planned Community Commercial District)
South (across NW O’Brien Rd):	Commercial uses and Multi-family / CP-2 and RP-3 (Planned Community Commercial District and Planned Residential Mixed-Use District)
East (across Hwy 50):	City Park and Commercial uses/ AG & CP-2 (Agriculture and Planned Community Commercial District)
West (across NW Murray Rd.):	John Knox Village Retirement Development / PMIX (Planned Mixed Use District)

Site Characteristics	
<p>The property is currently an established lot with an existing commercial building. The lot is bordered by Hwy 50 to the east and NW Murray Rd to the west, NW O’Brien Rd to the south. Access to the development is provided from NW Murray Rd.</p>	

Special Considerations
N/A

3. Project Proposal

Building Sizes/Uses/Exterior Characteristics

Existing Platted Lot: JKV East Commercial Dev.	Original Preliminary Development Plan Building Square Footage/Use/Exterior Characteristics	Proposed Preliminary Development Plan Building Square Footage/Use/Exterior Characteristics
Lot 3	<ul style="list-style-type: none"> one building, 9,800 sq. ft. commercial retail use red-orange brick storefront windows on east elevation 	<ul style="list-style-type: none"> one building, 9,800 sq. ft. fitness/medical use painted brick: color-black storefront windows removed and replaced with overhead garage doors on east elevation

The table above provides a side-by-side comparison for the existing building and the proposed exterior changes between the previously approved plan and the proposed plan. The change in the exterior appearance is a substantial change per the UDO and previously approved plan and cannot be approved administratively, thus requiring a new preliminary development plan.

Structure(s) Design

Number and Proposed Use of Buildings
1 building: F.I.T. Muscle and Joint Clinic
Number of Stories
1
Parking Provided
Lot 3 – 58 spaces; 49 required

4. Unified Development Ordinance (UDO)

Section	Description
2.040,2.260,2.300,2.320,2.330	Preliminary Development Plans
4.190	Zoning Districts

Unified Development Ordinance

The proposed fitness/medical commercial land uses are allowed by right under the existing CP-2 zoning district.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Resilient Economy	Goal 3.3A
Land Use and Community Design	Transition land use patterns and intensity to make sure uses are compatible and complementary maintaining community character.
Civic	The Civic/Public land use category includes government buildings, land, and libraries. They are typically public or semipublic in nature. In addition to their primary use, they provide gathering spaces, recreation spaces and opportunities for residents to interact. When located in neighborhoods or commercial centers, the design and layout of facilities should connect with the surrounding areas by providing pedestrian, bicycle, transit as well as vehicular connections where possible. Smaller facilities should be located within, or adjacent to residential areas with multi-modal access (pedestrians, bicycles, transit, and vehicles) as determined.

Comprehensive Plan

The 2020 Ignite Comprehensive Plan shows the recommended land use for this property as Civic, which is in part because of the previous use of the property which was a multi-tenant space housing a college/university (National American University) and an educational learning center (Brain Balance). City staff will be undergoing annual updates for the Future Land Use Comprehensive Plan which will encompass anomalies such as this and will update appropriately. The property is zoned Commercial and should be designated as a commercial use for the future land use designation of the property.

6. Analysis

Background

The applicant proposes an exterior renovation for the existing commercial building located at 413 NW Murray Rd. A preliminary development plan for the subject lot was approved in 2004 as part of the John Knox Village East Commercial Development. The new owner has since identified a need to modify the exterior of the building to fit the needs of the F.I.T. Muscle and Joint Clinic business. Revisions to the exterior include a breathable paint in the color black and overhead garage doors that will face Hwy 50.

The Unified Development Ordinance (UDO) does not authorize staff to administratively approve substantial changes to previously approved preliminary development plans. The proposed exterior changes reach the threshold of a substantial change from the previously approved preliminary development plan.

- March 11, 2004 – The City Council approved a preliminary development plan (Appl. #2003-288) for the J.K.V. Commercial Development, by Ordinance No.5716.
- July 9, 2004 – The Minor Plat for J.K.V. East Commercial Development, Lots 1-3 was recorded with Jackson County Recorder of Deeds by Instrument No. 2004I0066369.

- July 30, 2004 – A final development plan (Appl. #2004-134) was administratively approved for the J.K.V. East Commercial Development.

Compatibility

The site is located within the previous John Knox Village East Commercial Development along Hwy 50 and adjacent to the John Knox Village Retirement Center. The proposed buildings and uses are consistent with surrounding land uses, and overall vision for this highway corridor.

Adverse Impacts

The existing building's exterior renovation will not seriously injure the appropriate use of or detrimentally affect neighboring property.

Public Services

Existing public infrastructure and services are available and adequate to meet the demand of the existing commercial development.

Elevations.

F.I.T. Muscle and Joint Clinic.

- Required – Buildings shall incorporate four-sided architecture. Horizontal and vertical elements shall extend completely around the building and utilize the same or similar materials on all building facades. Building materials shall consist of masonry, stone, E.I.F.S, stucco, structural clay, and glass.
- Proposed – Existing brick shall be painted with a breathable elastomeric coating in the color black. The aluminum storefront windows will be replaced with overhead glass garage doors.
- Recommendation – Staff is comfortable with the proposed changes as it offers a more modern look to the building and adapts to the changing needs of services offered within the community. The original development was approved in 2004. It's understandable architectural styles and appearances will change within a 17-year time period, especially when under new ownership.

7. Recommended Conditions of Approval

Site Specific

1. Development shall be in accordance with the preliminary development plan dated January 12, 2022.

Standard Conditions of Approval

2. 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.
3. Sign permits shall be obtained prior to installation of any signs through the Development Services Department.