

# City of Lee's Summit

## Development Services Department

April 19, 2019

TO: Planning Commission  
PREPARED BY: Hector Soto, Jr, AICP, Planning Manager  
CHECKED BY: Kent D. Monter, P.E., Development Engineering Manager  
RE: **PUBLIC HEARING – Appl. #PL2019-091 – SPECIAL USE PERMIT renewal for automotive sales – Lighthouse Automotive, 1 SE 30<sup>th</sup> Street; Sam DiGiovanni, applicant**

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### Commentary

A special use permit allowing automotive sales on the subject property was originally approved for Pickard Motors in 2000. A 10 year renewal was subsequently approved in 2010, which is set to expire on September 21, 2020. Ownership of the property has recently changed hands. The applicant (the new property owner) requests a 10 year renewal of a special use permit to continue operation of automotive sales at 1 SE 30<sup>th</sup> St under the name of Lighthouse Automotive. The applicant has been operating at this location alongside Pickard Motors for the past 3 years under a lease, but now owns the property and will be the primary tenant. Pickard Motors will continue to maintain a small presence on the site.

Hours of operation are 9am-6pm Monday through Friday; 9am-3pm Saturday; and closed Sunday. Internet sales are the primary driver for the operation. A staff of 2 operates the business.

There is no expansion of facilities proposed as part of the special use permit renewal. There are no open code enforcement cases on the subject property.

### Recommendation

Staff recommends **APPROVAL** of the special use permit renewal for automotive sales, subject to the following:

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

### Zoning and Land Use Information

**Location:** 1 SE 30<sup>th</sup> St

**Legal Description:** Lot 1, Shamrock Park, 1<sup>st</sup> Plat, Lots 1-8

**Current Zoning:** CP-2 (Planned Community Commercial District)

**Surrounding zoning and use:**

**North (across 30<sup>th</sup> Street):** CS (commercial services) – equipment rental

**South:** CP-2 (planned community commercial) – vacant parcel; AG (agricultural) – golf course

**East:** CS – office-warehouse

**West:** M-291 Hwy

**Site Characteristics.** The property is developed and has operated as a used car dealer since 2001.

**Description and Character of Surrounding Area.** The subject area sits along the M-291 Hwy corridor, immediately north of Shamrock Hills golf course. The development along SE 29<sup>th</sup> Terr and SE 30<sup>th</sup> St (Shamrock Park) is commercial and industrial in nature.

## Project Information

**Current Use:** used auto dealer

**Number of Lots:** 1

**Land Area:** 28,791 sq. ft. (0.66 acres)

**Building Area:** 1,248 sq. ft. (existing)

**FAR:** 0.04

**Number of Buildings:** 1 (existing)

**Number of Stories:** 1

**Parking Spaces:** 37 (existing)

## Public Notification

**Neighborhood meeting conducted:** n/a

**Newspaper notification published:** April 6, 2019

**Radius notices mailed to properties within 185 feet:** April 8, 2019

## Process

**Procedure:** The Planning Commission makes a recommendation to the City Council on the special use permit renewal request. The City Council takes final action on the special use permit.

**Duration of Validity:** A special use permit shall be valid for a specific period of time if so stated in the permit.

## Unified Development Ordinance

| Applicable Section(s)       | Description        |
|-----------------------------|--------------------|
| 6.620, 6.640, 6.650, 6.1050 | Special Use Permit |
| 4.190                       | Zoning Districts   |

## Comprehensive Plan

| Focus Areas            | Goals, Objectives and Policies |
|------------------------|--------------------------------|
| Overall Area Land Use  | Objective 1.1<br>Objective 1.4 |
| Economic Development   | Objective 2.1<br>Objective 2.2 |
| Commercial Development | Objective 4.1                  |

## Background

- September 21, 2000 – The City Council approved a rezoning (Appl. #2000-135) from AG to CP-2 by Ordinance No. 5030 and a special use permit (Appl. #2000-136) for auto sales for a period of 10 years by Ordinance No. 5031.
- January 9, 2001 – The Planning Commission approved the final development plan (Appl. #2000-262) for Pickard Motors.
- November 4, 2010 – The City Council approved a special use permit renewal (Appl. #2010-054) for a period of 10 years, to expire on September 21, 2020, by Ordinance No. 6990.

## Analysis of the Special Use Permit

**Ordinance Requirements.** Under the Unified Development Ordinance (UDO) a special use permit is required for outdoor sale or lease of motor vehicles/equipment. According to Section 6.1050, of the UDO the following conditions apply to outdoor sales of motor vehicles:

1. **Vehicles or equipment must be set back at least ten (10) feet from all property lines or in compliance with the district's setback lines, whichever is greater.** A modification was previously granted to allow the existing parking lot to be located 8.9' from the east property line. This is an existing condition and thus does not require a modification.
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.** There is an existing single-rail steel pipe barrier around the perimeter of the property for security purposes.
3. **All display or storage area must be paved and the vehicles or equipment arranged in an orderly manner with at least three (3) feet between each vehicle.** This requirement is met.

**Time Period.** The applicant requests renewal of the special use permit for a period of 10 years. Staff supports the requested time period.

Attachments:

1. Copy of originally approved site plan, dated November 20, 2000
2. Table of SUPs for Car, Truck, Boat & Trailer Sales
3. Photos of adjacent properties – 3 pages
4. Location Map