



LEE'S SUMMIT
MISSOURI
Development Services Department

Application Information

Appl. #PL2019-134 – Unified Development Ordinance Amendment #5 – Article 5 Overlay Districts – Division VIII EnVision LS Area Development Plan (ADP) Design Standards; and Article 15 Rules of Interpretation and Definitions – Division II Definitions – establishment of an appeals process for prohibited uses and amendment to definitions; City of Lee's Summit, applicant

Overview of Amendment

The amendment establishes an appeals process for prohibited uses proposed within the overlay boundaries. The amendment also makes changes to the definitions of "alteration" and "repair" in order to facilitate the ability of property owners to maintain their property..

Background

The EnVision LS Area Development Plan (ADP) was approved in 2017 to guide redevelopment of the intersection of US 50 Hwy/M-291 Hwy South. The overlay created from the plan is composed of three areas: the LS Gateway (Pinetree Plaza), LS Mixed-Use (old Adessa site and properties bounded by Jefferson St, Persels Rd and M-291 Hwy) and LS Arts and Entertainment (old Calmar site).

Various property owners and interested investors within the EnVision LS overlay have expressed interest in requesting relief or flexibility from the area's specific uses standards and application & review requirements for upgrades/renovations to existing buildings.

Effective Date

Pending approval

Affected UDO Section(s)

Article 5, Section 5.630 General Provisions

	Previous Standard(s)	New Standard(s) <i>(changes shown below in bold)</i>
Applicability	These development standards are applicable to all property identified on the map labeled "Planning Subareas for Design Standards" on page 4, as now or hereafter established. Development standards shall be applicable to multi-family and commercial (non-residential) construction, reconstruction, alteration.... (Section 5.630.B)	These development standards are applicable to all property identified on the map labeled "Planning Subareas for Design Standards" in Section 5.620 , as now or hereafter established. Development standards shall be applicable to all construction, reconstruction and expansion, but shall not be applicable to repairs and alterations.... (Section 5.630.B)

Affected UDO Section(s)		
Article 5, Section 5.650 Area Development Plan (ADP) permitted uses		
	Previous Standard(s)	New Standard(s) <i>(changes shown below in bold)</i>
Appeals for Prohibited Uses	Prohibited uses can be specifically approved as part of the preliminary development plan public hearing process. (Section 5.650.A.12)	<ul style="list-style-type: none"> • File a written appeal with the City Clerk. • The City Clerk shall schedule a hearing with the City Council within 30 days of the appeal, or as soon thereafter as practicable. • Establishes the standard to be applied by the City Council to render a decision on the appeal. Also establishes the manner by which the City Council may approve or deny the appeal (i.e., by motion, resolution or ordinance). • If appeal is granted by the City Council, a subsequent application may be made by the applicant or property owner and such application shall be processed according to all applicable UDO requirements. (Section 5.650.F)

Affected UDO Section(s)		
Article 15, Rules of Interpretation and Definitions		
	Previous Standard(s)	New Standard(s) <i>(changes shown below in bold)</i>
Alteration	<u>Alteration</u> shall mean any addition, removal, extension or change in the location of any exterior surface of a main structure or accessory structure. (Section 15.200)	<u>Alteration</u> shall mean any addition, removal, extension or change to any part of a structure or fixture. (Section 15.200)
Repair	<u>Repair</u> shall mean the reconstruction or renewal of any part of an existing structure, improvement or fixture for the purpose of maintenance. (Section 15.2470)	<u>Repair</u> shall mean the reconstruction, rehabilitation or renewal of any part of an existing structure, improvement or fixture

		for the purpose of maintenance or to bring the structure, improvement or fixture into compliance with any City regulation. (Section 15.2470)
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Comprehensive Plan	
Focus Area(s)	Goals, Objectives and Policies
Overall Area Land Use	Objective 1.1 <ul style="list-style-type: none"> • Policies A, B and C Objective 1.4 <ul style="list-style-type: none"> • Policy A
Economic Development	Objective 2.1 <ul style="list-style-type: none"> • Policies A and B Objective 2.2 <ul style="list-style-type: none"> • Policy A Objective 2.3 <ul style="list-style-type: none"> • Policies A and B
Commercial Development	Objective 4.1 <ul style="list-style-type: none"> • Policies A and B Objective 4.3 <ul style="list-style-type: none"> • Policies A and B

Recommendation
Staff recommends APPROVAL of the UDO amendment to Article 5 and Article 15 as presented.