

City of Lee's Summit

Herrington Automotive Response to Special Use Permit Criteria

1. Character of the neighborhood

The character of the neighborhood surrounding the property at 1500/1502 SW Market Street is largely made up of industrial/warehouse uses, office use, an animal hospital and surrounding green area which is heavily treed. Attached as Exhibit 1 is a google map of the property and the surrounding area.

2. Compatibility with adjacent property uses and zoning.

The properties on the south, west and east sides are all zoned PI (Planned Industrial). The area to the north is CP-2. These zoning districts are compatible with the Planned Industrial zoning and Herrington Automotive use for the property. Attached as Exhibit 2 is the zoning map for the property and surrounding area.

3. Suitability of the property for which the special use is being requested.

The property at 1500/1502 SW Market was previously used by H & R Concrete & Hardscapes, Inc. It was in poor condition but has always been used for an industrial type uses. Attached Exhibit 3 and 4 are before pictures of the property and the buildings and after photos showing the improvements Herrington Automotive has already made to the property and building.

4. Extent to which the proposed use will negatively impact the aesthetics of the property and adjoining uses.

There will be no negative impacts with the Herrington Automotive use. In fact, Herrington Automotive will have a positive impact on the aesthetics of the property and adjoining properties. The parking area and buildings have already been greatly improved. See the before and after photos.

5. Extent to which the proposed use will injure the appropriate use of, or detrimentally affect, neighboring property.

There will be no detrimental affect or injury to adjoining properties. This use is compatible with the surrounding uses. It is also a benefit to the surrounding properties by the improvements that have already been made.

6. Impact on the street system to handle traffic and/or parking.

The streets are improved in this area and are fully capable of handling the traffic generated by Herrington Automotive. Herrington Automotive typically has about 20 to 30 customers per day and the roads are more than adequate to serve this traffic. In addition, there is a

large parking area on the property that is more than adequate to handle the customer and employee vehicles and trucks that will be parking at the property.

7. Impact of additional storm water runoff to the existing system or to the water shed area if no storm system is available.

The property already contains the building and the parking area. There will be no new hard surface improvements. The area and surrounding green area is adequate to handle storm water runoff.

8. Impact of noise pollution or other environmental harm.

The Herrington Automotive use of repairing trucks and vehicles will all be done internally in the building. There will be no negative noise impact on other properties. In addition, the business operates in compliance with all environmental regulations that apply to the use.

9. Potential negative impact on neighborhood property values.

There is no potential negative impact on neighboring property values. The improvements that have been made to this property and building will only enhance surrounding property values.

10. Extent to which there is a need of the proposed use in the community.

Herrington Automotive is an existing business in the Lee's Summit community. It was required to relocate from its location at 201 SE Green Street due to the City's desire to acquire that property for public use/city market uses. Herrington Automotive has a great existing client base in the Lee's Summit community.

11. Economic impact upon the community.

Herrington Automotive has 8 full time employees and produces both real property and sales taxes that benefit the Lee's Summit community.

12. Extent to which public facilities and services area available and adequate to satisfy the demand generated by the proposed use.

There is water available to serve the property. The property and building has always been served by a holding tanks which are adequate to serve the small needs of the business.

13. Comparison of the benefit gained to the public health, safety and welfare of the community if approved versus the hardship imposed upon the landowner if the requested application is denied.

There are only positive benefits to the community if approved by providing a reuse of the property along with substantial improvements to the building and parking area. The hardship imposed on the property owner is substantial because it would leave the owner without a use of the property and existing building and no place for his business.

14. Conformance to the Master Development Plan, current city policies and ordinances.

The Master Development Plan recommends Industrial for this property which is consistent and compatible with the proposed automotive repair use. The use is also in compliance with the PI zoning on the property.

15. Recommendation of professional staff.

We do not know what the recommendation of professional staff is.

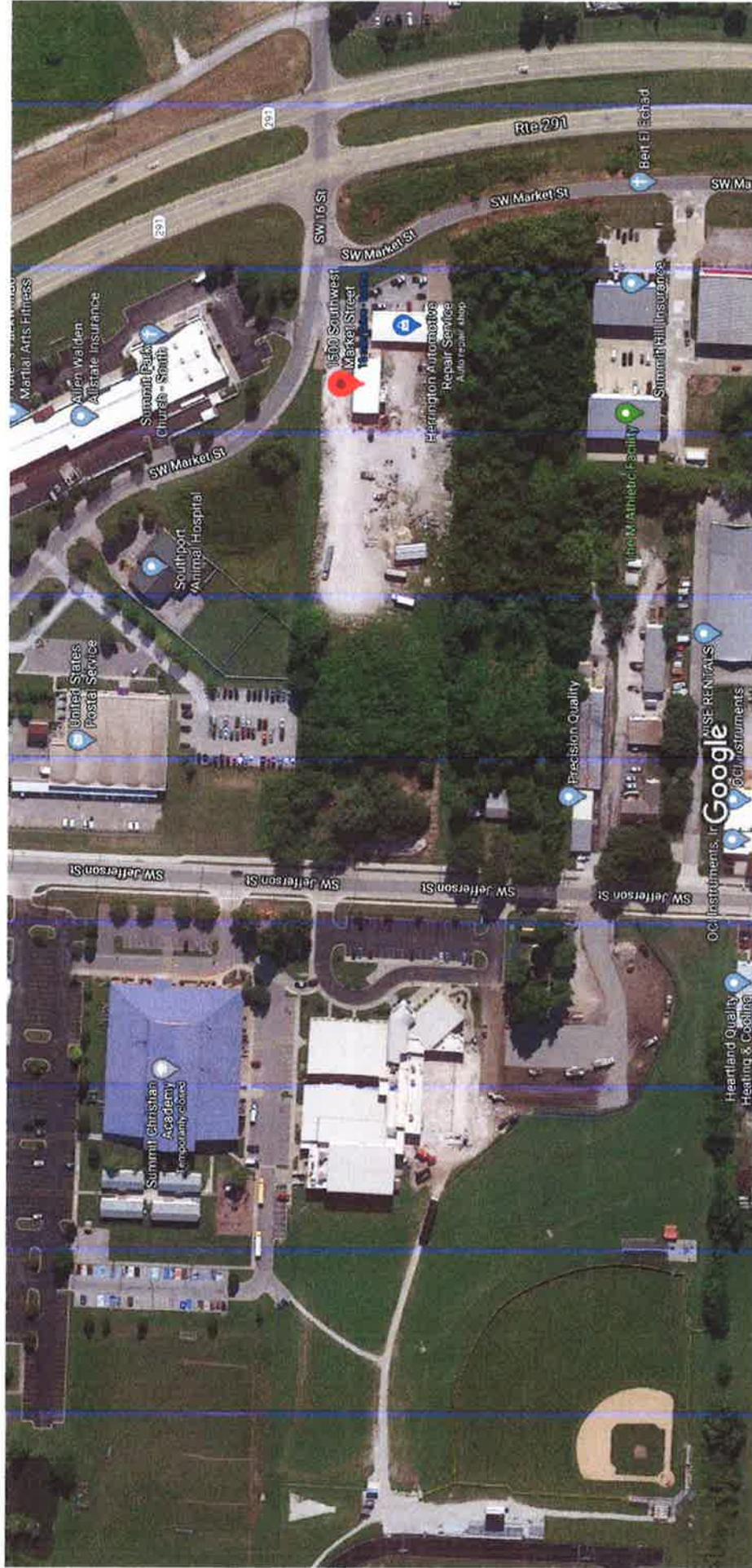
16. Consistency with permitted uses in the area in which the special use is sought.

As stated in No. 1, 2 and 3 above, the proposed automotive repair use is consistent with the permitted uses in the area and is consistent with the permitted uses of the PI zoning district.

Section 6.440 of the UDO list the special conditions that relate to the requested use. The proposed complies with the following special conditions:

- A. All activities will be conducted within the building.
- B. The only outside storage, i.e. parking of trucks/vehicles that are waiting for repair or have been repaired, will be located in the rear of the building. The operations of the business will be conducted within the building.
- C. The business will not generate noise, odors, or fumes that can be detected beyond the walls of the building in which the use is conducted. All operations and repair will take place inside the building. The building is also setback substantially from the property lines and areas surrounding it are heavily treed.
- D. There are no surrounding residential uses within 300 feet of the property and likewise no residential zoning within 300 feet. The ventilation, exhaust and air circulation will comply with all codes.

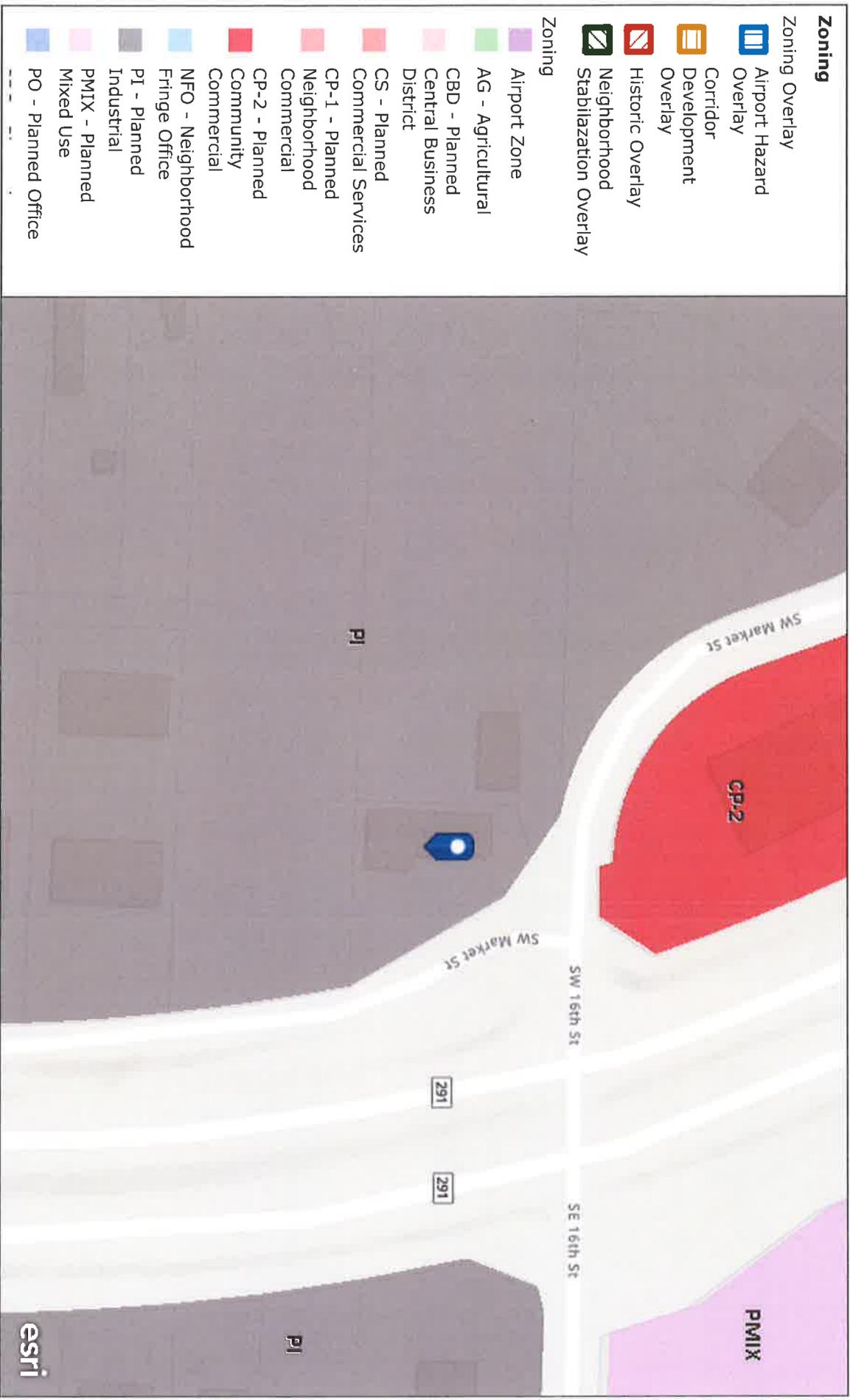
Google Maps 1500 SW Market St



Imagery ©2020 Maxar Technologies, USDA Farm Service Agency, Map data ©2020 100 ft



Zoning Information



Displays the zoning designation for properties in Lee's Summit, MO

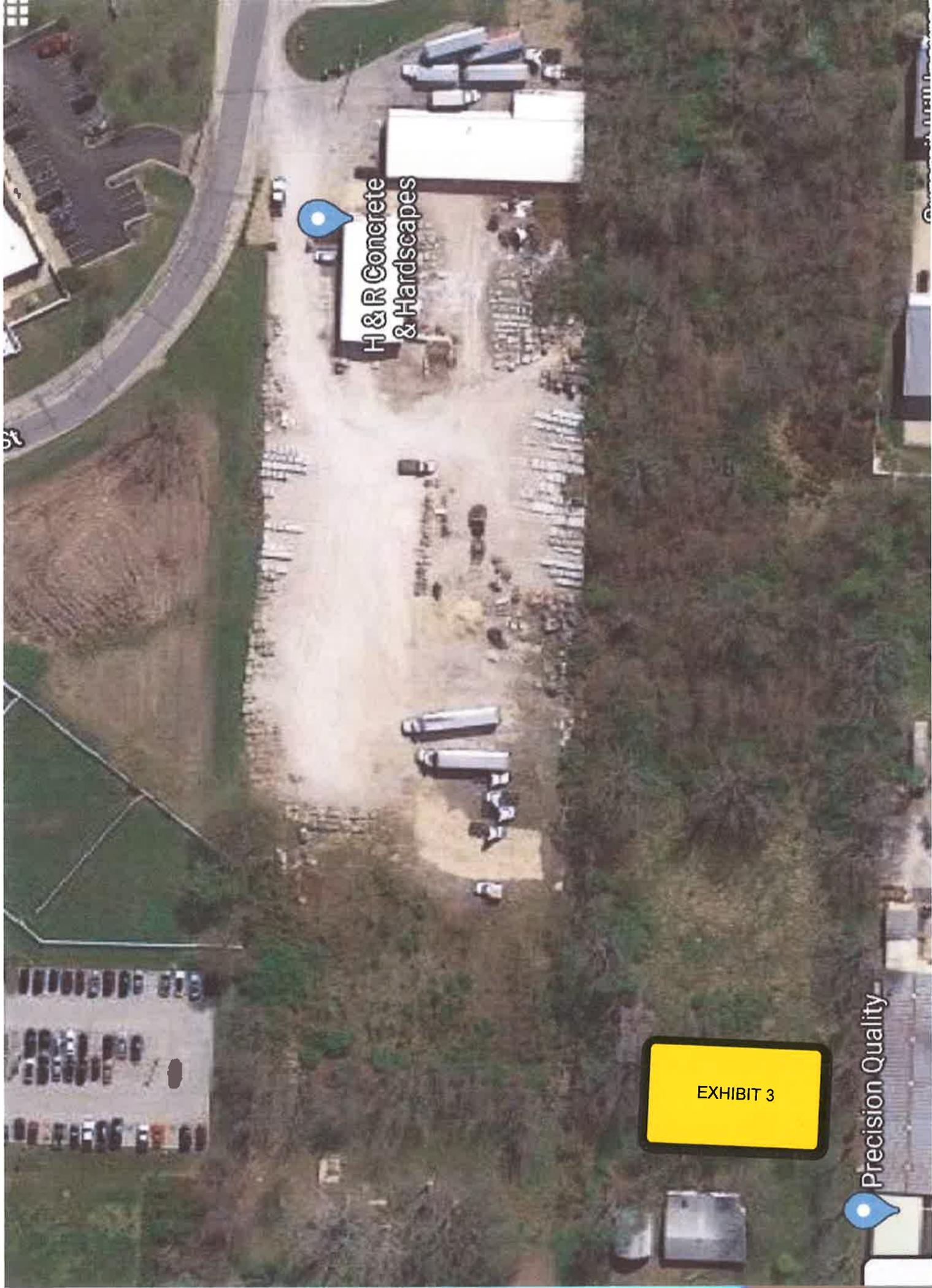
Esri Community Maps Contributors, City of Lees Summit, Jackson County, MO, Missouri Dept. of Conservation, Missouri DNR, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | City of Lee's Summit, MO



H & R Concrete
& Hardscapes

EXHIBIT 3

Precision Quality





{40017 / 68551; 887493. }





{40017 / 68551; 887493. }



{40017 / 68551; 887493. }

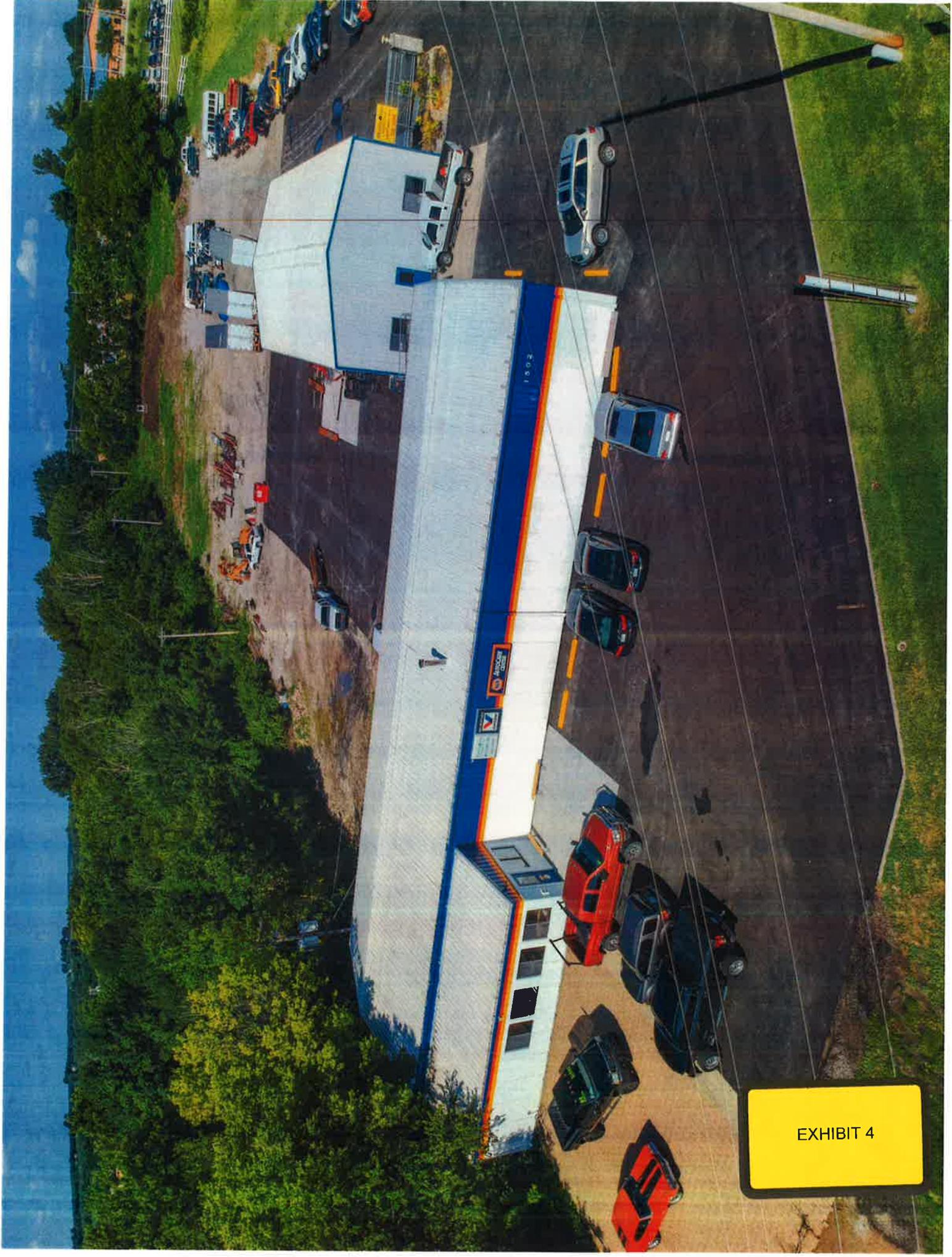
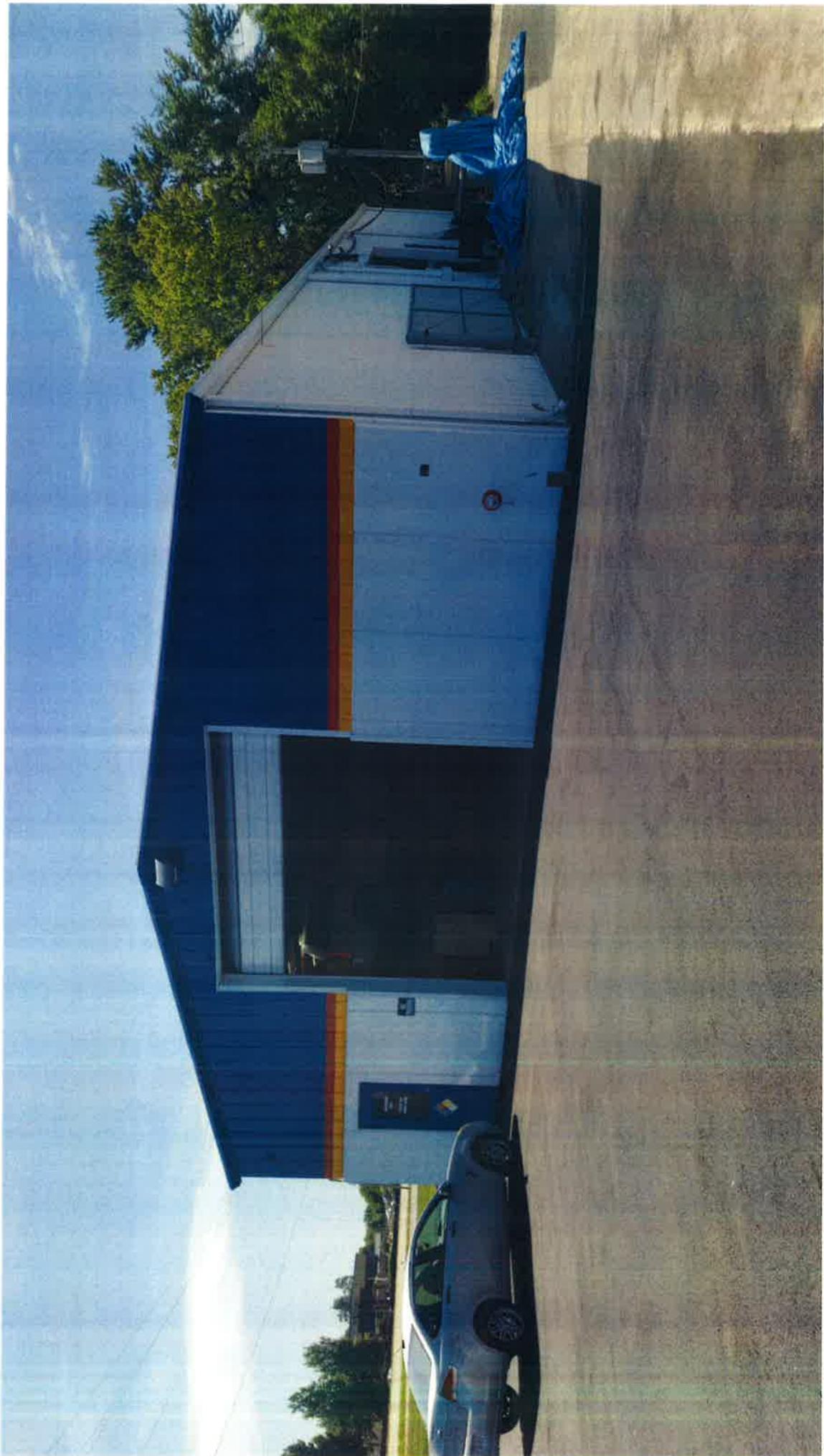
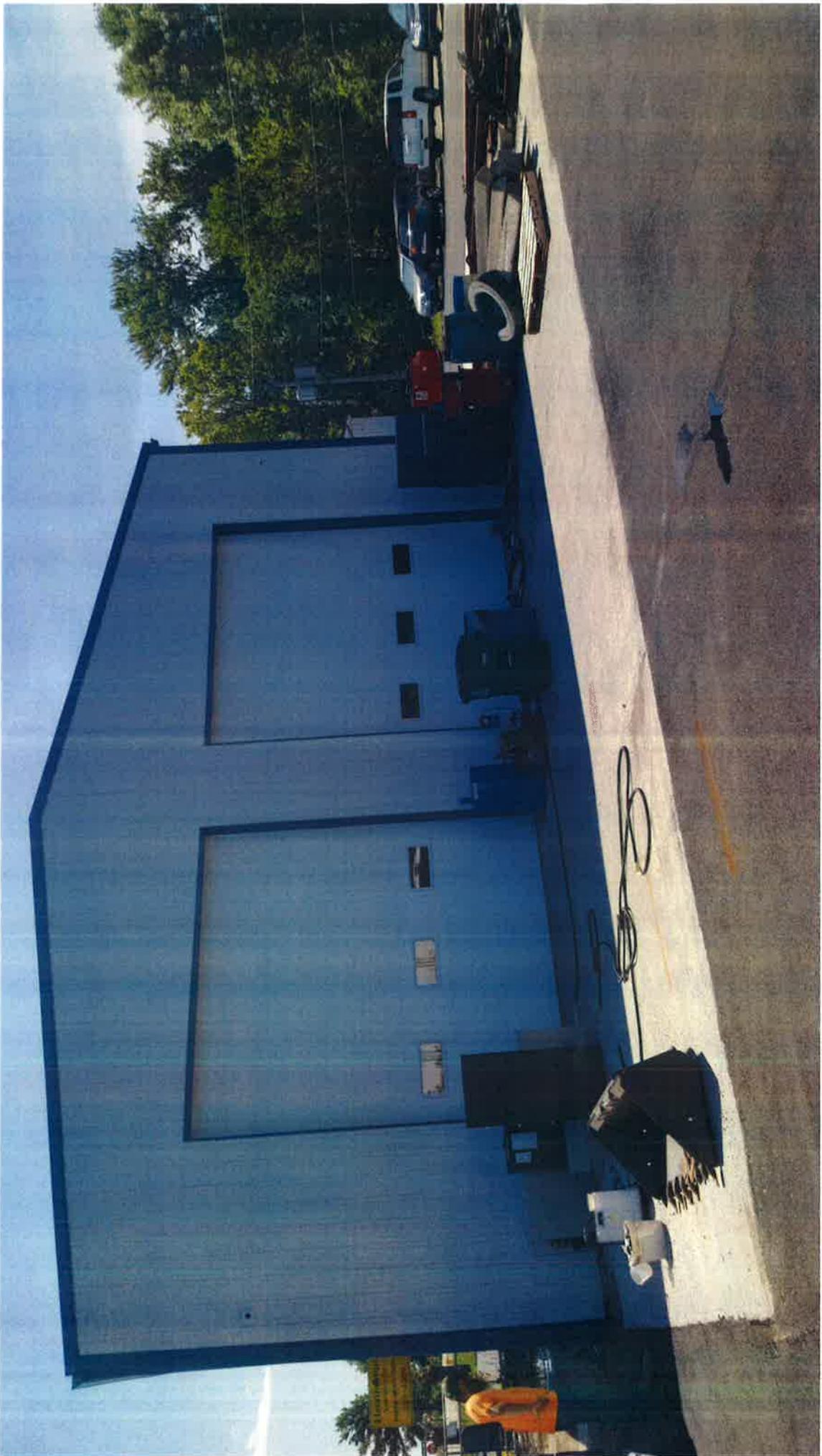
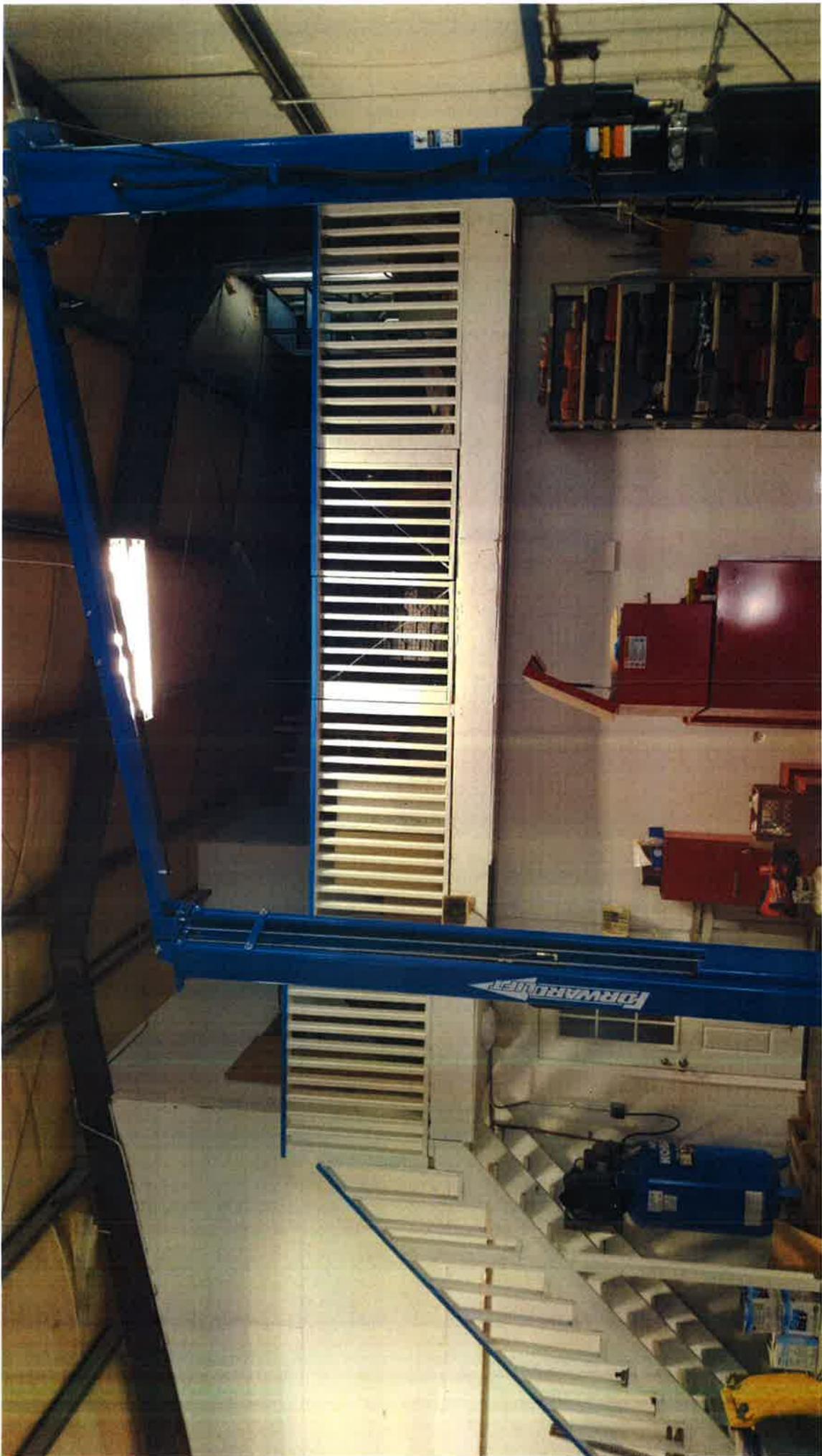


EXHIBIT 4











**HERRINGTON AUTOMOTIVE RESPONSES TO SPECIAL USE PERMIT APPLICANT'S
LETTER DATED AUGUST 5, 2020**

Herrington Automotive submits the following responses to the requests for further information contained in the Special Use Permit, Applicant's Letter, dated August 5, 2020. The staff requested comments are in black and Herrington Automotive responses are in red below.

Planning Comments

1. Please provide a comprehensive narrative description of the use sought, both as to function and operation, and as to structures, installations, equipment or surface improvements, changes or other requirements incidental to such use. This narrative must include hours of operation, type of repairs to be performed, i.e. minor repairs and maintenance like muffler replacement, brake service, lube and oil or major mechanical works that require removal of the engine head or pan, engine transmission, or differential.

Herrington Automotive's use includes full service automotive repairs services to clients in the Lee's Summit community and surrounding area. The existing buildings on the property have been improved as well as the surrounding parking and drive access area. The automotive work takes place within the existing buildings. The photographs previously submitted show the two current buildings which will both house full service automotive facilities.

The hours of operation will be from 7:30 a.m. to 5:30 p.m., Mondays through Fridays. As done at the previous location, the range of services provided will include both minor repairs and maintenance (from inspections, muffler repairs and replacement, brake services (both repair and replacement and lube and oil changes) and major mechanical work (replacing engines, transmissions and differentials).

2. In the comprehensive narrative description please include the length of term sought for the SUP.

The term of the Special Use Permit sought is for twenty-five (25) years. Applicant has made a substantial investment in the property, including substantial improvements to both the interior and exterior of the existing building and surface area surrounding the building.

3. Will the property be used as a junkyard, wrecking yard, salvage yard or scrap yard similar to your previous operation on SW 2nd St?

The property will not be used as a junkyard, wrecking yard, salvage yard or scrap yard.

Fire Comment

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 to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code.

Applicant is and will continue to operate the business in compliance with the 2018 International Fire Code.