



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2020-084
File Name	SPECIAL USE PERMIT for automotive repair
Applicant	Pat Herrington
Property Address	1500 and 1502 SW Market St
Planning Commission Date	September 10, 2020
Heard by	Planning Commission and City Council
Analyst	C. Shannon McGuire, Planner
Checked By	Hector Soto, Jr., AICP, Planning Manager Kent D. Monter, PE, Development Engineering Manager

Public Notification

Pre-application held: January 21, 2020
Neighborhood meeting conducted: N/A
Newspaper notification published on: August 22, 2020
Radius notices mailed to properties within 300 feet on: August 21, 2020
Site posted notice on: August 21, 2020

Table of Contents

1. Project Data and Facts	2
2. Land Use	2
3. Project Proposal	3
4. Unified Development Ordinance (UDO)	3
5. Comprehensive Plan	3
6. Analysis	3
7. Recommended Conditions of Approval	5

Attachments

Site Plan and Elevations, dated May 1, 2020– 5 page
Applicant Narrative for Special Use Permit – 17 pages
Photos of property and adjoining properties – 14 pages

Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Pat Herrington / Owner
Applicant's Representative	Pat Herrington
Location of Property	1500 and 1502 SW Market St
Size of Property	±3.51 acres
Zoning	PI (Planned Industrial District)
Comprehensive Plan Designation	Industrial
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed special use permit. 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 if so stated in the permit.</p>

Current Land Use
The subject properties are platted, developed lots each with an existing building. The building located at 1500 SW Market St is approximately 3,100 square feet, and the building located at 1502 SW Market St. is approximately 5,800 square feet.

Description of Applicant's Request
This application is for a special use permit (SUP) for an Automotive Repair Services- Major Repair facility. The applicant requests a 25-year time period.

2. Land Use

Description and Character of Surrounding Area
The area is mostly industrial in nature with a small area of commercially zoned (CP-2) property located just north of the subject properties. M 291 Hwy is located to the east of the property.

Adjacent Land Uses and Zoning

North:	PI (Planned Industrial) – Southport Animal Hospital/vacant undeveloped lot CP-2 (Planned Community Commercial) - Commercial strip center
South:	PI (Planned Industrial) – Vacant residential home
East (across SW Market St):	M 291 Hwy
West:	PI (Planned Industrial) – Vacant undeveloped lot

Site Characteristics

The site is fully developed and comprised of two buildings with a large existing gravel storage lot.

3. Project Proposal

Site Design

Land Use	
Existing use	Automotive repair
Land area	153,024 sq. ft. (3.51 acres)
Site area	The subject properties are fully developed with an existing metal building on each lot. The property located at 1500 SW Market has a large gravel storage lot.

4. Unified Development Ordinance (UDO)

Section	Description
6.620, 6.630, 6.640, 6.650	Special Use Permit
4.200	Zoning Districts

Use of the subject property as an Automotive Repair Services- Major Repair facility is allowed under the UDO in the PI zoning district with approval of a special use permit, subject to certain conditions. Conditions currently in effect under the UDO include, but are not limited to, screening, noise, odor and fume control.

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Overall Area Land Use	Objective 1.1, 1.4
Economic Development	Objective 2.1, 2.2, 2.3
Commercial Development	Objective 4.1, 4.2, 4.3

6. Analysis

Background and History

Herrington Automotive has provided automotive services to the Lee’s Summit and surrounding community since 1993. The business was formerly located at 201 SE Green St. The operation of an automotive service business at that location predated the requirement for a SUP and was considered a legal non-conforming use. In late 2019, the City of Lee’s Summit acquired 201 SE Green St and the surrounding properties for the future Downtown Farmers Market development. Terms of the sale required the property to be vacated by May 29, 2020.

A pre-application meeting was held on January 21, 2020, to discuss the requirements for relocating Herrington Automotive to the subject site. On February 26, 2020, the Development Services Department received an SUP application for Herrington Automotive. The application was deemed incomplete due to missing information and a letter was issued informing the applicant of the decision. Additional information and documents were uploaded to the City portal on July 7, 2020, and the application process was resumed.

At some point between vacating their former location on SE Green St and the present, Herrington Automotive began operating their business at the new location.

- December 29, 1987 – A minor plat (Appl. #1987-180) for Hagerty Industrial Park was recorded at Jackson County Recorder of Deeds, by Document #1819476.
- February 6, 2004 – A final development plan (Appl. #2004-187) for Croft Trailer Supply was approved.
- March 8, 2016 – A minor plat (Appl. #2016-007) for Hagerty Industrial Park II, Lots 1 & 2 was recorded at Jackson County Recorder of Deeds, by Document #2016E0020113.

Ordinance Requirements. Under the Unified Development Ordinance (UDO) a special use permit is required for Automotive Repair Services- Major Repair. According to Section 6.440, of the UDO the following conditions apply to repair services on equipment or vehicles:

1. All activities are conducted within a building or fully screened area. **This condition will be met as the applicant has committed to all automotive repair work taking place within the existing buildings.**
2. Outside storage is confined to the rear of the property and visually screened in accordance with the buffer standards of Article 2. **The applicant has not proposed any outdoor storage and has stated that the property will not be used as a junkyard, wrecking yard, salvage yard or scrap yard similar to their previous operation on SW 2nd St.**
3. Do not generate noise, odors, or fumes that can be detected beyond the walls of the building in which the use is housed. **This requirement will be met as the automotive work will be conducted within the existing buildings.**
4. Overhead doors are to remain closed to eliminate associated noise from such uses that are within 300 feet of any residential district or use. (Ventilation, exhaust and air circulation should be considered by the prospective business operator and/or owner when the enactment of this condition is present. Such use may require special fans, air conditioning, etc.) **This requirement is not applicable as the nearest residential district is nearly 777 feet west of the subject buildings.**

Compatibility

The proposed facility will not negatively impact the surrounding neighborhood as the surrounding uses are industrial or commercial in nature. The previous uses of the property were of a similar intensity as the proposed automatic repair facility.

Adverse Impacts

The automotive repair facility is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.

Approval of the SUP will not create excessive storm water runoff, air pollution, water pollution, noise pollution or other environmental harm.

Public Services

The proposed use will have little or no impact on the existing public facilities and services. Access to the property is served by SW 16th St. The surrounding street network has adequate capacity to serve the subject properties.

The requested special use permit will not impede the normal and orderly development and improvement of the surrounding property. Herrington's Automotive is a commercial service to the community that has been in operation since 1993.

Recommendation

With the conditions outlined below, the application meets the requirements of the UDO and/or the Design and Construction Manual (DCM).

7. Recommended Conditions of Approval

Site Specific

1. The special use permit shall be approved for a period of 25 years.
2. The property shall not be used for the operation of a junkyard, wrecking yard, salvage yard or scrap yard as defined by the Unified Development Ordinance.