



**LEE'S SUMMIT**  
MISSOURI  
Development Services Department

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## Development Services Staff Report

<b>File Number</b>	PL2021-199
<b>File Name</b>	SPECIAL USE PERMIT renewal for a tow-lot
<b>Applicant</b>	Crash Champions, LLC
<b>Property Address</b>	451 SE Oldham Pkwy
<b>Planning Commission Date</b>	July 22, 2021
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Planner
<b>Checked By</b>	Hector Soto, Jr., AICP, Planning Manager Kent D. Monter, PE, Development Engineering Manager

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### Public Notification

Pre-application held: N/A

Neighborhood meeting conducted: The requirement for an applicant to hold in-person neighborhood meetings pursuant to UDO §2.205 was suspended during the period of the Emergency Declaration which ended on June 30, 2021. Pursuant to the Mayor's Emergency Order, applicants were encouraged to use all available alternative methods of communication to inform neighbors of each pending application and solicit neighbors' input and feedback and provide answers to questions about proposed land development.

Newspaper notification published on: July 3, 2021

Radius notices mailed to properties within 300 feet on: June 28, 2021

Site posted notice on: July 2, 2021

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**Attachments**

Site Plan, date stamped November 1, 1993 – 3 pages

Applicant narrative– 2 pages

Photos of the existing tow lot – 18 pages

Photos of surrounding properties – 9 pages

Location Map

**1. Project Data and Facts**

Project Data	
<b>Applicant/Status</b>	Crash Champions, LLC
<b>Applicant’s Representative</b>	Chris Norris
<b>Location of Property</b>	451 SE Oldham Pkwy
<b>Size of Property</b>	±2.5 acres
<b>Zoning</b>	PI (Planned Industrial District)
<b>Comprehensive Plan Designation</b>	Industrial
<b>Procedure</b>	<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><b>Duration of Validity:</b> A special use permit shall be valid for a specific period of time if so stated in the permit.</p>

Current Land Use
The site is developed with an existing major automotive repair facility and tow lot. The subject site is 2.5 acres and has two (2) existing metal industrial buildings.

Description of Applicant’s Request
This application is for a special use permit (SUP) renewal for a tow lot. The applicant requests a 10-year time period to be consistent with the time periods granted on the previous three (3) special use permit approvals in 1994, 2001 and 2011.

**2. Land Use**

Description and Character of Surrounding Area
The subject property is located at 451 SE Oldham Pkwy. The area is generally industrial in nature, with PI zoned properties to the east, south and west. North across SE Oldham Pkwy is US 50 Highway.

**Adjacent Land Uses and Zoning**

<b>North (across Oldham Pkwy):</b>	US 50 Highway
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<b>South:</b>	Sutton Trucking PI
<b>East:</b>	Mini-warehouse storage units/ PI
<b>West:</b>	Various industrial office/warehouse uses/ PI

<b>Site Characteristics</b>
The site is fully developed and comprised of 2 metal buildings and an existing tow lot.

### 3. Project Proposal

#### Site Design

<b>Land Use</b>	
Existing use	Major automotive repair and tow lot (existing)
Land area	110,239.52 sq. ft. (2.5 acres)
Site area	Major automotive repair and tow lot

### 4. Unified Development Ordinance (UDO)

Section	Description
6.620, 6.630, 6.640, 6.650,6.660	Special Use Permit
6.1160	Salvage yard, tow lot, scrap yard, junkyard or automobile wrecking yard

Use conditions currently in effect under the UDO for a tow lot include:

- A. The operation shall be enclosed by a fence or wall not less than eight feet in height that provides total visual screening. Such screening shall be maintained in good condition and meet the standards established for buffers in Article 8, Division 3 of the UDO.
- B. The storage of vehicles shall be on an all-weather treatment of asphalt or concrete. Vehicles shall be arranged in rows and not stacked upon one another.
- C. No such activity may be conducted within 100 feet of any property line or 200 feet of any property zoned or used for residential purposes. The incidental sale of auto parts removed from cars on the site shall be permitted.

The property is paved with an asphalt parking surface and is surrounded by an existing wooden fence that provides the required screening. With more than 800 feet separating them, the closest residentially zoned property or use is the RP-2 zoned Lee’s Summit Highschool to the north across US 50 Highway. All required UDO conditions have been met.

### 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
Industrial Development	Objective 5.2

## 6. Analysis

### Background and History

- August 16, 1994 – The City Council approved a special use permit (Appl. #1994-028) for a tow lot for a period of 10 years by Ordinance No. 4036.
- June 7, 2001 – The City Council approved a special use permit renewal (Appl. #2001-030) for a tow lot for a period of 10 years by Ordinance No. 5149.
- June 2, 2011 – The City Council approved a special use permit renewal (Appl. #PL2011-024) for a tow lot for a period of 10 years by Ordinance No. 7059.

The applicant seeks approval for the renewal of a special use permit for the existing tow lot at 451 SE Oldham Pkwy. The tow lot has been operating since 1994. The current special use permit expired on June 2, 2021. There are no proposed building expansions or changes to the site as part of this special use permit renewal.

The applicant requests that the special use permit renewal be approved for 10 years. The requested time period is consistent with the three previously approved special use permits for this development.

### Compatibility

The proposed facility will not negatively impact the surrounding neighborhood by the continued presence of the tow lot. The facility has existed on the site for approximately 27 years.

### Adverse Impacts

The tow lot is designed, located and operated so that the public health, safety and welfare is protected. No property maintenance or zoning code violation cases have been opened on the subject property since 2014.

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

### Public Services

The storage facility has little or no impact on the existing public facilities and services. Access to the subject site is served by SE Oldham Pkwy. The continued use will create a minimal amount of traffic onto the surrounding street network.

Renewal of the special use permit will not impede the normal and orderly development and improvement of the surrounding property. The tow lot is a service to the community that has been in operation for over 27 years.

**Recommendation**

With the conditions of approval listed below, the application meets the requirements of the UDO.

**7. Recommended Conditions of Approval**

**Site Specific**

1. The special use permit shall be approved for a period of 10 years from the date of the previous special use permit expiration date of June 2, 2021, to expire on June 2, 2031.
2. The required screening and all-weather parking surface (asphalt or concrete) shall be maintained in good condition and meet all standards established by the UDO.

**Standard Conditions of Approval**

3. 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 and the existing fire code at the time the building was occupied. Verified at annual inspection.