

Legislation Text

File #: 2019-2744, **Version:** 1

Continued Public Hearing: Application #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.

(NOTE: This item was continued from June 4 and June 18, 2019 per staff's request.)

Issue/Request:

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.

Background:

Recently, property owners proposed a series of uses that are prohibited in the EnVision LS area. The uses are a thrift store, a car wash, car detailing and a call center. The mechanism for the EnVision LS area is an overlay district in the UDO with additional design and use standards. The vision for the EnVision LS area is for a mixed-use and transit oriented development that would act as a gateway to downtown. The overlay is divided into three areas; the LS Gateway (Pinetree Plaza), LS Mixed-Use -(Adesa property and properties adjacent to M-291) and LS Arts and Entertainment - (Old Calmar property). The basis for uses was the CP-2 (Planned Community Commercial) zone's office and retail uses. The overlay has a list of additional allowed and prohibited uses designed to support the overall vision for the overlay district and are complimentary to the downtown. The property owners asking for relief are located in the Gateway and Mixed Use parts of the overlay. The use standards are included below for reference.

In addition, at the February CEDC meeting, Chad Anderson with MAR Building Solutions requested the CEDC look into modifying the requirements for application and review of upgrades and renovations to existing buildings within the EnVision LS area plan. Currently applications for renovations, upgrades and remodels require applications to be processed through the preliminary development plan process which requires public hearings at the Planning Commission and City Council.

At the March 13 CEDC meeting, after hearing discussion from property owners and staff, the CEDC directed staff to look at possible UDO changes that might address the above concerns about the Envision LS standards. The current EnVision standards require almost any work done on an existing site to conform to the design requirements. The only opportunity for relief from either the use or design standards is through the PDP process. Staff has modified the Envision Standards to include an appeal process where the applicant goes directly to Council to advocate for uses not allowed in the EnVision LS overlay. We have also provided more specific definitions for what constitutes repair so existing owners can maintain their property. The ordinance as drafted does not provide relief for existing businesses to expand without adhering to the design standards of the EnVision LS Ordinance. The current EnVision standards and staff's draft ordinance are attached to the packet.

Hector Soto Jr., Planning Manager

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

Committee Recommendation: On a motion by Mr. Funk, seconded by Mr. Sims, the Planning Commission unanimously voted on May 9, 2019, to recommend APPROVAL of 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, as amended.