

AN ORDINANCE APPROVING A SPECIAL USE PERMIT RENEWAL FOR A MINI-WAREHOUSE AND OUTDOOR STORAGE FACILITY IN DISTRICT PI ON LAND LOCATED AT 500 NE JONES INDUSTRIAL DRIVE, EXISTING STORAGE MART, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-039 submitted by TKG III Various, LLC, requesting a special use permit for a mini-warehouse and outdoor storage facility in District PI (Planned Industrial District) on land located at 500 NE Jones Industrial Drive, Storage Mart was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a special use permit by the City following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the special use permit on May 14, 2020, and rendered a report to the City Council recommending that the special use permit be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on June 9, 2020, and approved a motion for a second ordinance reading to approve the preliminary development plan for said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the application pursuant to Section 6.1020 of the Unified Development Ordinance to allow for a mini-warehouse and outdoor storage facility District PI with a special use permit is hereby granted for a period of 25 years with respect to the following described property:

LOT 28A OF LAKEWOOD BUSINESS CENTER ON I-470 PLAT L, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be approved for a period of 25 years.

SECTION 3. That development shall be in accordance with the plan, date stamped February 20, 2020, appended hereto and made a part hereof.

SECTION 4. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.


SECTION 5. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or

BILL NO. 20-99**ORDINANCE NO. 8897**

unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

SECTION 6. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this 16th day of June, 2020.


Mayor William A. Baird

ATTEST:


City Clerk Trisha Fowler Arcuri


APPROVED by the Mayor of said city this 17th day of June, 2020.


Mayor William A. Baird

ATTEST:


City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:


City Attorney Brian W. Head





March 24, 2020

Mike Weisenborn
City of Lee's Summit
Planning and Development Department
222 SE Green St
Lee's Summit, MO 64063

RE: Application #PL2020039 - SUP
StorageMart – Existing Site Special Use Permits
500 NE Jones Industrial Drive, Lee's Summit, MO 64064

Mr. Weisenborn

Please find below additional information and responses as required for this application regarding the extension of two (2) Special Use Permits. Feel free to reach out with any questions or concerns.

Special Use Permit – Criteria for Consideration – UDO Sec. 6.650

1. Character of the neighborhood. *Applicant Response: The neighborhood includes an electrical substation, regional detention facility, existing commercial buildings, vacant City of Lee's Summit property adjacent to the airport, vacant commercial parcels and the existing Self Storage facility which is located within the Planned Industrial District.*
2. Compatibility with adjacent property uses and zoning. *Applicant Response: The existing use is compatible with the other developed uses in the vicinity. The zoning designation of adjacent properties is Airport Zone, Planned Industrial, Planned Commercial, and Planned Mixed Use.*
3. Suitability of the property for which the special use is being requested. *Applicant Response: The property has been used as a Self-Storage facility for years and therefore is suitable for its continued uses – Outdoor Storage and Mini Storage.*
4. Extent to which the proposed use will negatively impact the aesthetics of the property and adjoining properties. *Applicant Response: The existing uses were aesthetically designed to be compatible with neighboring properties.*
5. Extent to which the proposed use will inure the appropriate use of, or detrimentally affect, neighboring property. *Applicant Response: The proposed extensions will continue the existing long-term use of the Self-Storage facility and not affect the use of or access to any neighboring properties.*
6. Impact on the street system to handle traffic and/or parking. *Applicant Response: Self storage in general has a low vehicle trip-generation impact.*
7. Impact of additional storm water run off to the existing system or to the water shed area if no storm sewer is available. *Applicant Response: No additional storm water run off will occur with these extensions.*
8. Impact of noise pollution or other environmental harm. *Applicant Response: Extension of these SUPs will not cause any additional noise or environmental impact. To the Applicant's knowledge, no complaints have been made regarding negative secondary effects associated with the existing Self*

Storage facility.

9. Potential negative impact on neighborhood property values. *Applicant Response: To our knowledge the existing Self Storage facility has had no negative impact on neighborhood property values.*
10. Extent to which there is need of the proposed use in the community. *Applicant Response: The existing Self Storage facility has maintained an occupancy rate of greater than 90 percent, demonstrating the market demand and citizen need for these uses.*
11. Economic impact upon the community. *Applicant Response: Continuation of these uses will generate property and sales tax commensurate with our property use.*
12. Extent to which public facilities and services are available and adequate to satisfy the demand generated by the proposed use. *Applicant Response: All necessary facilities and services are already available on site.*
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. *Applicant Response: Continuing the existing uses serves a demand in the community, and will cause no negative impact on the neighborhood.*
14. Conformance to the UDO and current city policies and ordinances. *Applicant Response: All UDO requirements have been addressed as part of the application.*
15. Recommendation of professional staff. *Applicant Response: The applicant has responded to staff and departmental comments and revised the site plan(s) accordingly.*
16. Consistency with permitted uses in the area in which the special use is sought. *Applicant Response: The proposed extensions will result in continued and consistent uses of the existing property.*

Special Use Permit Conditions (Section 10.40) – UDO Sec. 6.1020

A Mini-Warehouse Facility shall be subject to the following conditions and restrictions.

- A. In any non-industrial district, a mini-warehouse facility must be enclosed on all sides by a wall or earthen berm that shields the development from view. *This condition does not apply as the zoning of this tract is PI – Planned Industrial District.*
- B. Color selected must be muted shades. *The existing facility colors consist mostly of muted shades. These color consist of tans and bluish gray shades.*
- C. Roof pitch shall be 3:1. *The existing storage unit roof pitch is less than 3:1. A variance to this condition is requested as these are existing structures.*

Requested Modifications

1. Twenty seven (27) 8-foot tall white pine trees, shall be installed along the outside of the chainlink fence along the east side of the storage area per the conditions of Ordinance No. 5940. *Applicant Request: Evergy has an existing overhead electric transmission line along the chainlink fence located adjacent to the east side of the storage area. Evergy will not allow any trees to be installed under the existing transmission lines. Due to Evergy not allowing any trees to be located under the transmission line StorageMart is requesting a waiver from this requirement.*

Comprehensive Narrative Description of the Use Sought

StorageMart is the largest privately held self-storage owner/operator in North America. With their focus on, and dedication to, the internal motto 'Easy, Clean, Service' they have been able to create a customer experience that is second to none. StorageMart is proud to offer multiple facilities with many different unit sizes and amenities in the Lee's Summit community that serve the variety of needs seen in today's growing market. The extension of these SUPs on this existing site addresses existing demand in the market without the need for developing a new piece of land and should ultimately be a lower impact on the community than any other alternative.

We have attempted to address all of the requirements but can provide additional details on any that would be helpful.

Sincerely,

Weyen Burnam
Director – Acquisition and Development
TKG-StorageMart Partners, LP
Weyen.burnam@storage-mart.com
573-268-4704 (cell)

cc: Mr. Jacob Eiler
Mr. Greg Musil
Mr. Steven Lucas

**ROUSE FRETS WHITE GOSS
GENTILE RHODES, P.C.**

STEVEN M. LUCAS
slucas@rousepc.com
816.502.4742

March 12, 2020

**VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED AND
VIA U.S. MAIL**

CITY OF LEE'S SUMMIT
MIKE WEISENBORN
220 SE GREEN ST
LEE'S SUMMIT, MO 64063

**Re: TKG III Various LLC / 500 NE Jones Industrial Drive
Application #: PL2020039**

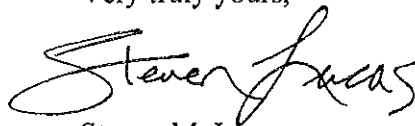
Dear Property Owner:

This office represents TKG III Various LLC in connection with the request to renew two Special Use Permits for the storage facility located at 500 NE Jones Industrial Drive. We would like to present our proposed plan at a neighborhood meeting on Thursday, March 19, 2020 from 6:30 p.m. to 7:30 p.m. The meeting will be held at the Storage Mart office located at 500 NE Jones Industrial Drive, Lee's Summit, Missouri. Enclosed is a copy of our proposed site plan.

We anticipate the Special Use Permit application will be heard by the Plan Commission on Thursday, April 23, 2020 at 5:00 p.m., Lee's Summit City Hall, Council Chambers.

We look forward to seeing you at the meeting to answer any questions you may have about our project.

Very truly yours,



Steven M. Lucas

SML:jjw

Enclosure

cc: Mr. Weyen Burnam (via e-mail)
Mr. Mike Weisneborn, City of Lee's Summit (via e-mail)

{12017/007; 875390.}

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March 12, 2020

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LAKEWOOD BUSINESS CENTER WATER DETENTION
ATTN: JASON A BURCHFIELD
302 CAMPUSVIEW DR STE 211
COLUMBIA, MO 65201

**Re: TKG III Various LLC / 500 NE Jones Industrial Drive
Application #: PL2020039**

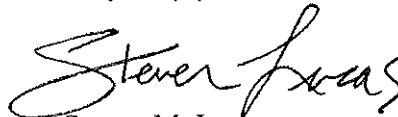
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Mr. Mike Weisneborn, City of Lee's Summit (via e-mail)

{12017 / 007; 875390. }

Attorneys at Law || 4510 Belleview Avenue, Suite 300 || Kansas City, MO 64111 || rousepc.com

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March 12, 2020

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MISSOURI PUBLIC SERVICE CO
C/O KCP&L GREATOR MO OPER CO PROPERTY TAX DEPT
PO BOX 418679
KANSAS CITY, MO 64141-9679

**Re: TKG III Various LLC / 500 NE Jones Industrial Drive
Application #: PL2020039**

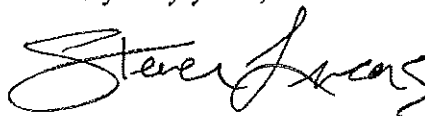
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{12017/007; 875390.}

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March 12, 2020

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BUSINESS & TECHNOLOGY CENTER OWNERS ASSN
ATTN: JASON A BURCHFIELD
302 CAMPUSVIEW DR STE 211
COLUMBIA, MO 65201

**Re: TKG III Various LLC / 500 NE Jones Industrial Drive
Application #: PL2020039**

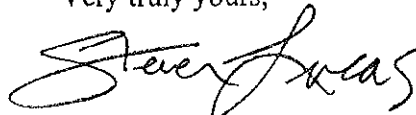
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{12017/007; 875390.}

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March 12, 2020

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TKG III VARIOUS LLC
215 N STADIUM BLVD STE 207
COLUMBIA, MO 65203

**Re: TKG III Various LLC / 500 NE Jones Industrial Drive
Application #: PL2020039**

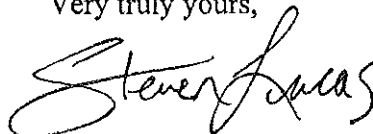
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March 12, 2020

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RCP VIII LLC
1015 NE BRYANT CRT
LEES SUMMIT, MO 64086

**Re: TKG III Various LLC / 500 NE Jones Industrial Drive
Application #: PL2020039**

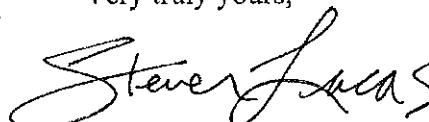
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March 12, 2020

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K/H LEES SUMMIT LLC
C/O KESSINGER HUNTER CO
2600 GRAND BLVD
KANSAS CITY, MO 64108

**Re: TKG III Various LLC / 500 NE Jones Industrial Drive
Application #: PL2020039**

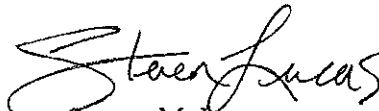
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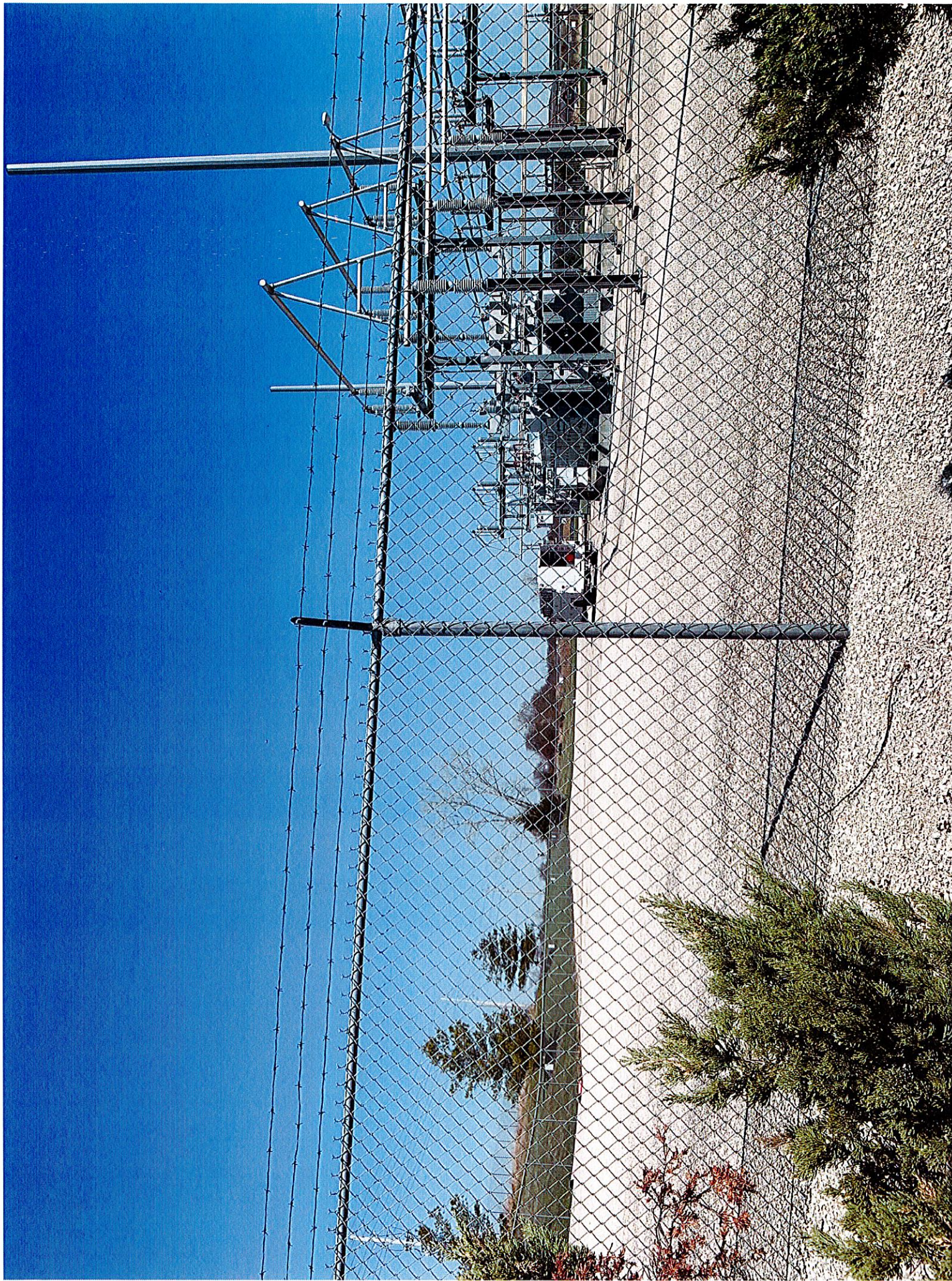


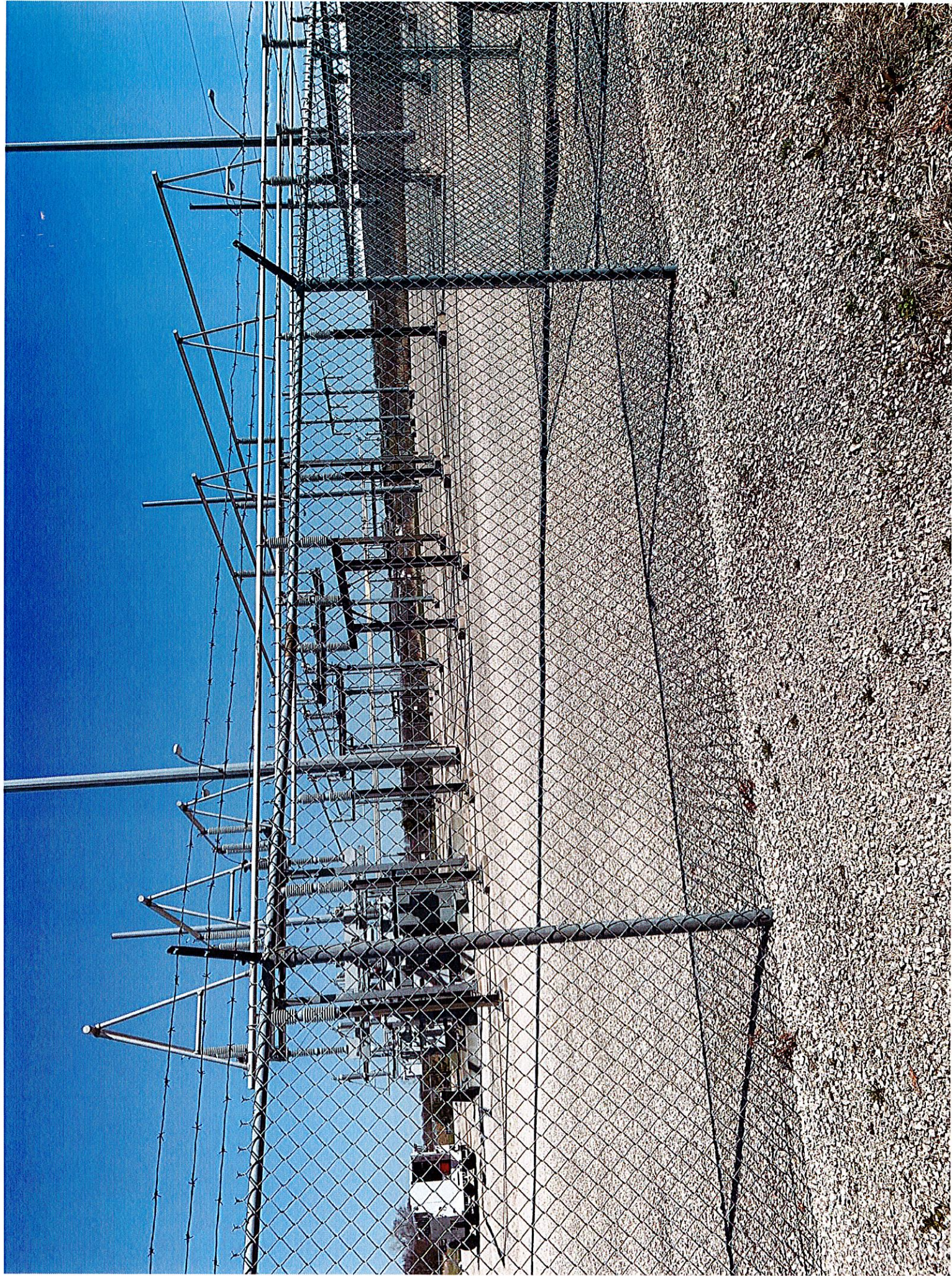


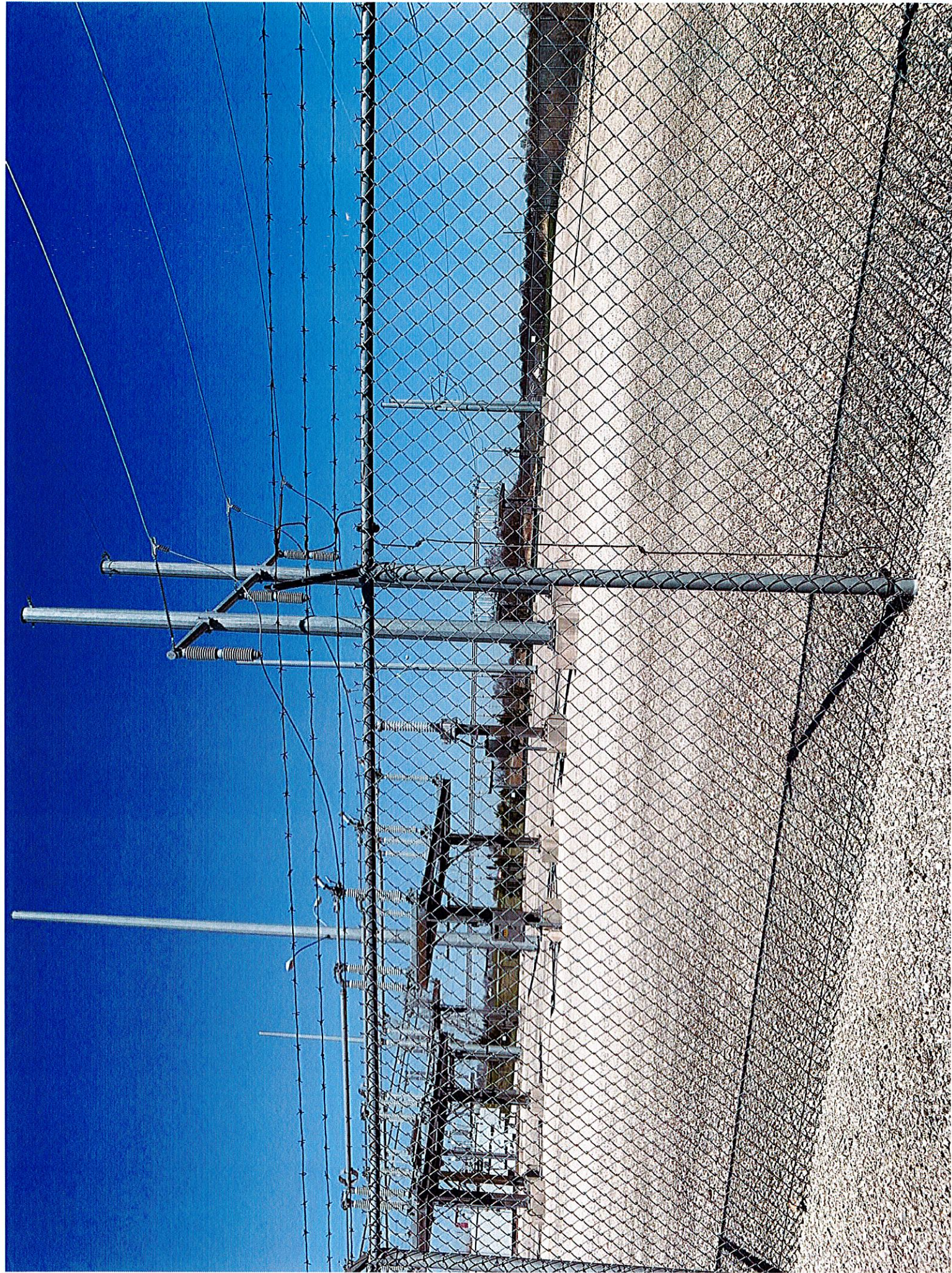














PL2020-039 Special Use Permit

Storage Mart

500 NE Jones Industrial Dr

