



SPECIAL USE PERMIT PROCESS

Purpose of Special Use Permit

Some land uses (such as car dealerships, junk yards, and telecommunication towers) are only permitted upon the approval a Special Use Permit (SUP) for the specific use at a specific location. Table 6-1 of the Unified Development Ordinance lists uses that require a special use permit and shows the zoning districts in which such a permit may be considered. A new land use that is not listed in the zoning ordinance may also be considered through the Special Use Permit process. Special use permits are generally approved for a specific period of time, and are subject to renewal upon expiration. The renewal process is similar to the initial approval process.

The purpose of the public hearing process is to make sure that the proposed use is appropriate at the proposed location and compatible with existing or planned uses on the surrounding properties. The Planning Commission and City Council will consider any concerns that surrounding property owners or members of the general public may have regarding the proposed development and its impact on the community.

Step 1 – Pre-Application Conference

The UDO requires the applicant to meet with City Staff at a “pre-app” meeting prior to submitting an application. Staff members include representatives from Development Services, Public Works, Traffic Engineering, Fire, and Parks. An exchange of information early in the process can often make the rest of the development go more smoothly. The purposes of the pre-application meeting are:

- **Applicant** - The applicant can explain the proposed development and present any sketches or plans. Detailed plans are not required, but the more information brought to the meeting, the more thorough and specific staff can be in response.
- **Staff** - City staff will advise the applicant of:
 - Land use considerations, including compatibility with the Comprehensive Plan and adjacent land uses
 - Procedural requirements for submitting an application and going through the appropriate process
 - Site design regulations, including setbacks, parking, screening, traffic, and others
 - Building code regulations
 - Special studies required, such as traffic, storm water, etc.
 - Public sources of information that may aid the applicant
 - Policies that may create opportunities or pose significant restraints

Step 2 – Filing the Application

The applicant must submit the following items to the Development Services Department:

- **Application** - A complete application for special use permit, including all items identified in the Submittal Requirements checklist.
- **Fees** - Application filing fee and legal notice publishing charge, payable to the City of Lee's Summit - see Schedule of Fees and Charges. Two legal notices are required for a special



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use permit application. A single payment covering the application fee and legal notice charge may be accepted. An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication.

- **Preliminary Development Plan, if required** – When a special use permit is requested and a preliminary development plan is required, the preliminary development plan shall be submitted and approved by the Planning Commission and City Council simultaneously with the special use permit. The preliminary development plan shall include the proper types of drawings (site plan, landscape plan and building elevations), the proper number of paper copies, the reduced drawings, and the completed checklists. See UDO Article 2 for the preliminary development plan application contents and submission requirements.
- **Deadline** - All information must be submitted by the deadline date. Items will be placed on the Planning Commission agenda based upon the completeness of the application submittal. All additional information to support the application must be submitted by the deadline. The application will be delayed if information is missing or is not submitted by the deadline date.

Step 3 – Development Review Committee (DRC)

The Development Review Committee is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions that reviews each item on the agenda, and identifies relevant issues. The development departments then prepare written comments for the applicant, which will be sent to all parties listed on the application form (via fax or email) on the Friday before the Tuesday Applicant's Meeting. A Project Manager will be assigned as the project lead on each application.

Step 4 – Applicant's Meeting

The applicant is required to attend an Applicant's meeting:

- **Staff** - City staff will provide a technical review of the submitted plans and request any necessary plan revisions.
- **Applicant** - The applicant will have an opportunity to ask questions.
- **Timeline** - Staff will provide a timeline for the rest of the process. If extensive changes are required or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), the application may be rescheduled to a later Planning Commission meeting date to allow time for the necessary work to be completed. If deficiencies are minor, the item will be scheduled for a Planning Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.

This meeting is *not* the appropriate forum to discuss policy issues or negotiate any agreements. If an application involves policy issues or items that may be resolved through a development agreement, the Lead Planner will schedule a separate meeting with appropriate City staff.



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Step 5 – Notices and Posting of the Property

- **Notice in Newspaper** – City staff will prepare and publish the required legal notice of the time and place of the public hearings, which must be published 15 days prior to the hearing in an official City paper.
- **Letters to Surrounding Property Owners** – The applicant must mail notices to all property owners within 185 feet of the property, at least 15 days prior to the hearing, notifying them of the opportunity to be heard. A form letter for the notice can be obtained from the Development Services Department. An affidavit must be submitted certifying that notice has been sent, along with a list of property owners and a copy of the letter sent.
- **Sign** – The applicant must post a sign on the premises at least 15 days prior to the date of the hearing, informing the public of the time and place of the public hearing. The City will furnish the sign to the applicant for posting. The applicant shall make a good faith effort to maintain the sign for at least 15 days immediately preceding the date of the hearing through the hearing, and through any continuances of the hearing. The sign shall be placed within 5 feet of the street right-of-way line in a central position on the property. The sign shall be readily visible to the public. If the property contains more than 1 street frontage, 1 sign shall be placed on each street frontage so as to face each of the streets. The sign may be removed at the conclusion of the public hearing and must be removed at the end of all proceedings on the application or upon withdrawal of the application.
- **Neighborhood Meeting** - The Planning Commission and City Council encourage public participation in zoning decisions; therefore, it is strongly recommended that applicants meet with surrounding property owners and residents prior to the public hearings. This provides an opportunity for the applicant to address the neighbors' concerns.

Step 6 – Planning Commission Public Hearing

The Planning Commission consists of nine (9) appointed citizens who meet on the second and fourth Thursday of each month in the Council Chambers of City Hall at 220 SE Green Street. All meetings are televised on the local cable television government channel. The Commission holds a public hearing on each special use permit application and makes a recommendation to the City Council.

- **Applicant's presentation** - The applicant begins the public hearing with a presentation, which should include a brief description of the proposed project and a response to any concerns raised in the staff report. Visual presentations shall be:
 - In electronic format - on a laptop, CD ROM, DVD, or flash drive. The City's presentation system can support Word, Excel, Power Point, Adobe, Windows Media Player and Internet Explorer applications.
 - Reduced drawings for use on the Document Camera to display on the screen. Presentation boards will not be allowed, as they cannot be seen by the audience.
- **Staff's presentation** - Staff will then give a staff report and recommendation.



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- **Public comments** – members of the audience will be given an opportunity to speak. If issues or concerns are raised by the public, the applicant is typically given an opportunity to respond.
- **Commission discussion and decision** - The Commission members may ask questions of either staff or the applicant. Finally, the public hearing portion of the meeting is closed, and the Planning Commission discusses the action that should be taken and the reasons for that action. The Planning Commission's action is a recommendation to the City Council to approve, approve with conditions, or deny the application. The Planning Commission may also vote to continue an application to a later meeting to allow further study or the submission of information by the applicant or staff. Once the Planning Commission has made a recommendation, a hearing (typically three weeks later) will be scheduled before the City Council.

Step 7 – City Council Public Hearing

The Lee's Summit City Council holds public hearings at their regular meetings on the first and third Tuesdays of each month at the Council Chambers of City Hall at 220 SE Green Street.

- **Public Hearing** - The format of the public hearing is similar to that used by the Planning Commission and applicants should plan on making a similar type of presentation. After the City Council has listened to the presentations and to any public comments, they will discuss the application and then take action. The City Council will either reject the request or direct staff to prepare an ordinance granting the zoning change.
- **Ordinance** - The ordinance is normally read at a subsequent City Council meeting and approved or denied.



LEE'S SUMMIT MISSOURI

SPECIAL USE PERMIT APPLICATION

1. PROPERTY LOCATION/ADDRESS: 4101 NE Port Drive, Lee's Summit, MO 64064
2. ZONING OF PROPERTY: PMIX TIME PERIOD REQUESTED: _____
3. DESCRIPTION OF USE: Climate controlled storage
5. LEGAL DESCRIPTION (attach if description is metes and bounds description): _____
LAKEWOOD BUSINESS PARK LOT 33A & LOTS 34-36---LOT 35
6. Size of Building(s) (sq. ft): 76,500 Lot Area (in acres): 2.93
7. APPLICANT (DEVELOPER) Lakewood Self-Storage, LLC care of Newmark Zimmer PHONE 816-268-4241
CONTACT PERSON Justin Beal FAX _____
ADDRESS 1485 SW Market St. CITY/STATE/ZIP Lee's Summit, MO 64081
E-MAIL jbeal@nqzimmer.com
8. PROPERTY OWNER Sallee Real Estate Investments LLC PHONE 816-525-2891
CONTACT PERSON Tyler Sallee FAX _____
ADDRESS PO Box 6437, 1951 NE Rice Rd CITY/STATE/ZIP Lee's Summit, MO 64064
E-MAIL tyler@salleedevelopment.com
9. ENGINEER/SURVEYOR Schlagel Associates PHONE 913-492-5158
CONTACT PERSON Jeffrey Skidmore FAX 913-492-8400
ADDRESS 14920 W. 107th Street CITY/STATE/ZIP Lenexa, KS 66215
E-MAIL js@schlagelassociates.com
10. OTHER CONTACTS Dallenbach Cole PHONE 210-493-2234
CONTACT PERSON Jeff Dallenbach FAX _____
ADDRESS 12035 Colwick, Suite 200 CITY/STATE/ZIP San Antonio, TX 78216
E-MAIL jeff@dallenbachcole.com

All applications require the signature of the owner on the application and on the ownership affidavit. Applications without the proper signatures will be deemed incomplete and will not be processed.



PROPERTY OWNER
Print name: Tyler Sallee



APPLICANT
Justin Beal

Receipt #: _____ Date Filed: 2/19/2021 Processed by: _____ Application # PL2021064

LS LEE'S SUMMIT
MISSOURI

OWNERSHIP AFFIDAVIT

STATE OF MISSOURI)

ss.

COUNTY OF JACKSON)

Comes now Tyler Sallee (owner)

who being duly sworn upon his/her oath, does state that he/she is the owner of the property

legally described as 4101 NE Port Dr, Lee's Summit MO 64064

in the application for Special Use Permit
type of application (e.g., rezoning, special use permit, etc.)

Owner acknowledges the submission of said application and understands that upon approval of the application the proposed use specified in the application will be a permitted use upon the subject property under the City of Lee's Summit Unified Development Ordinance.

Dated this 19th day of February, 20 21

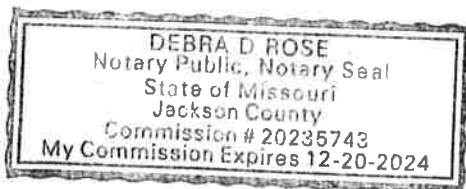
[Signature]

Signature of Owner

Tyler Sallee

Printed Name

Subscribed and sworn to before me this 19th day of Feb, 20 21



[Signature]

Notary Public

12-20-2024

My Commission Expires:



In considering a special use permit application, the Planning Commission and City Council will give consideration to the criteria stated below to the extent they are pertinent to the particular application. (See UDO Section 6.650.)

1. Character of the neighborhood.
2. Compatibility with adjacent property uses and zoning.
3. Suitability of the property for which the special use is being requested.
4. Extent to which the proposed use will negatively impact the aesthetics of the property and adjoining properties.
5. Extent to which the proposed use will injure the appropriate use of, or detrimentally affect, neighboring property.
6. Impact on the street system to handle traffic and/or parking.
7. Impact of additional storm water runoff to the existing system or to the water shed area if no storm sewer is available.
8. Impact of noise pollution or other environmental harm.
9. Potential negative impact on neighborhood property values.
10. Extent to which there is need of the proposed use in the community.
11. Economic impact upon the community.
12. Extent to which public facilities and services are available and adequate to satisfy the demand generated by the proposed use.
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.
14. Conformance to the UDO and current city policies and ordinances.
15. Recommendation of professional staff.
16. Consistency with permitted uses in the area in which the special use is sought.



In addition to the special use permit criteria, special conditions relate to the operation of certain uses. From Article 6 of the UDO, list the special conditions that relate to the requested use. Explain **IN DETAIL** how this application meets each of the special conditions. **Failure to complete each will result in an incomplete application.**

This site has been marketed for two plus years for a traditional flex office/warehouse building. Unfortunately, with the rising construction costs the rental rate would have to have been well above market rate to make it feasible. In underwriting a climate controlled storage facility we were able to gain square feet to make it financially feasible and believe there is adequate demand in the area to justify the development.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.



SPECIAL USE PERMIT CHECKLIST

Submittal Requirements	Yes	No*
Completed special use permit application form with signatures		
Ownership Affidavit form		
Legal description		
Filing fee – \$900 + two legal notice publishing charges		
Legal Notice Publishing Charge – \$165		
Correct number of special use permit plans – 4 full size (including site plan, landscape plan, building elevations), collated, stapled (seals not required) and folded		
One (1) 8 ½" by 11" reduction of each sheet in the special use permit plans		
An electronic copy of the submittal and resubmittal plans		
Comprehensive narrative description of the use, both as to the function and operation, and as to structures, installations, equipment or surface improvements, changes or other requirements incidental to the use sought.		
Color photographs of surrounding structures within 185 feet and elevation drawings of the proposed special use in sufficient detail to determine compliance with the zoning district regulations in which the special use is to be located.		
Completed "Special Use Permit – Explanation" sheet describing how requested use relates to conditions listed in UDO Article 10, Div. II – Specified special uses.		
Completed preliminary development plan application form with necessary plans, fee, checklist, etc. as required for that application		

*** Applications missing any required item above will be deemed incomplete.**

Table 1. General Application Requirements Plan Submission Requirements				
UDO Article 2., Sec. 2.040	Ordinance Requirement	Met	Not Met	N/A
B.1. Date Prepared	Date prepared			
B.2. Name & address	Name, address and telephone number of the person who prepared, or person responsible for preparing, the plan;			
B.3. Scale	Graphic, engineering scale not to exceed 1:100. All plans shall be drawn to a standard engineer's scale of 1:50 or 1:100', unless a different scale is specifically approved by the Director.			
B.4. Plan Size	Plan size maximum of 24" x 36" with one inch border			
B.5. North Arrow	North Arrow; plan shall be oriented so north is to the top or to the right side of the sheet.			

REVISED APRIL 2019



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Table 1. General Application Requirements Plan Submission Requirements				
UDO Article 2., Sec. 2.040	Ordinance Requirement	Met	Not Met	N/A
B.6. Vicinity Map	Vicinity map with north arrow indicating the location of the property within the City.			

Table 1.A. Special Use Permit Plan Submission Requirements				
UDO Article 6, Sec. 6.630.	Ordinance Requirement	Met	Not Met	N/A
B. Prel. Dev. Plan	A preliminary development plan, accompanied by the number of copies required (see Submittal Copies Chart), containing all information set forth in Article 2, except when the SUP is for use of an existing building and where no substantial changes are proposed per Article 2.			
C. Narrative Description	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.			
D. Length of Term	The length of term of the use after the date of issuance of the permit, if applicable.			
E. Special Description	Special conditions relating to the operation of the proposed use(s), site development and other pertinent descriptive factors.			
F. Photographs	Color photographs of surrounding structures within 185 feet and elevation drawings of the proposed special use in sufficient detail to determine compliance with the zoning district regulations in which the special use is to be located.			
G. Special Use Conditions	See Article 6, Division II, for conditions related to "Specified Special Uses."			