



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

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## Development Services Staff Report

<b>File Number</b>	PL2024-024
<b>File Name</b>	Special Use Permit – Outlaw Harley Davidson
<b>Applicant</b>	Engineering Solutions, LLC.
<b>Property Address</b>	3100 NE Carnegie Dr.
<b>Planning Commission Date</b>	February 22, 2024
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Senior Planner

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### Public Notification

Pre-application held: October 24, 2023  
Neighborhood meeting conducted: December 7, 2023  
Newspaper notification published on: February 3, 2024  
Radius notices mailed to properties within 300 feet on: February 2, 2024  
Site posted notice on: February 1, 2024

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### Attachments

Preliminary Development Plan, dated November 17, 2023 & revised December 22, 2023 – 6 pages  
Elevations, dated December 18, 2023 – 3 pages  
Photos of surrounding area – 5 pages  
Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	Engineering Solutions/Engineer
Applicant's Representative	Matt Schlicht
Location of Property	3100 NE Carnegie Dr
Size of Property	±3.80 Acres (165,528 sq. ft.)
Number of Lots	1
Zoning (Existing)	CP-2 (Planned Community Commercial)
Comprehensive Plan Designation	Commercial
Procedure	<p>The Planning Commission makes a recommendation to the City Council on the proposed special use permit and 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 identified in the permit.</p>

### Current Land Use

The site of the proposed PDP is undeveloped vacant land located in the Chapel Ridge Business Park.



### Description of Applicant's Request

The applicant requests a special use permit (SUP) to allow for motorcycle sales, rental or service with outdoor display for a 20-year duration.

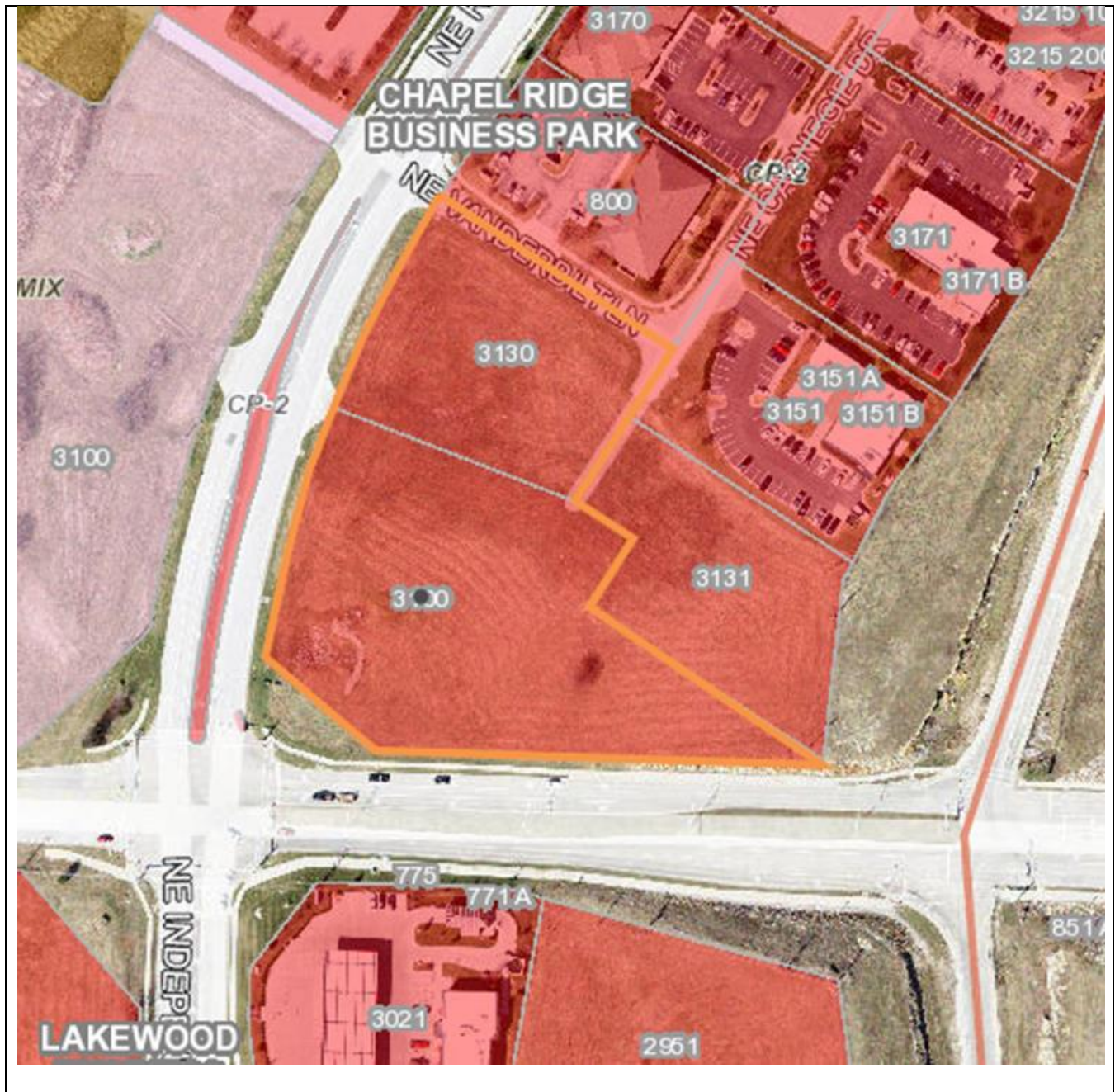


## 2. Land Use

### Description and Character of Surrounding Area

The subject site is located on NE Strother Rd just west of I-470. The site is surrounded by commercially zoned property and uses on the north, east and south. The property to the west is a vacant undeveloped lot that is zoned PMIX.



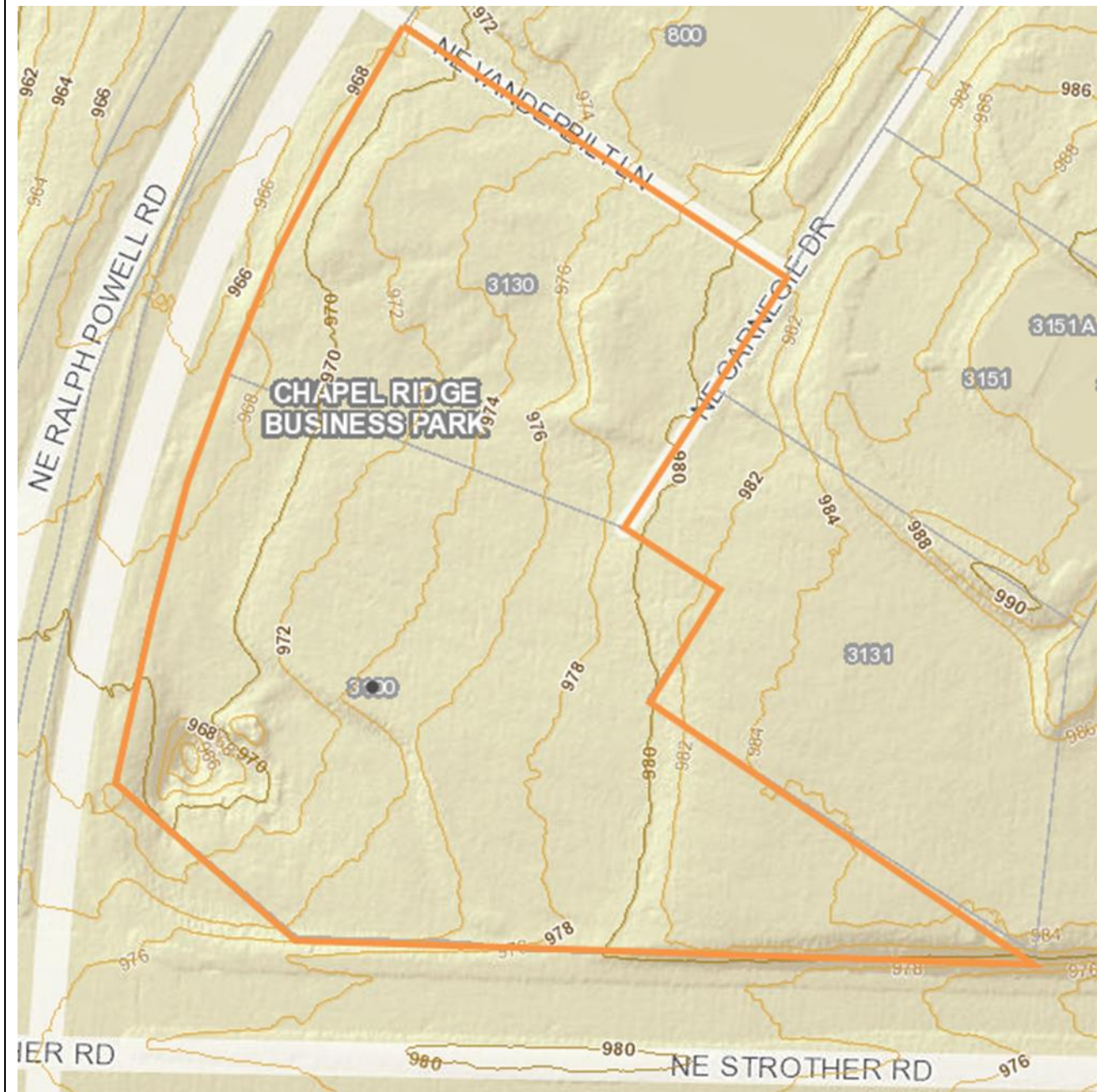


#### Adjacent Land Uses and Zoning

<b>North:</b>	CP-2 (Planned Community Commercial District) — Medical & Professional Offices
<b>South:</b>	CP-2 (Planned Community Commercial District) — Gas Station
<b>East:</b>	CP-2 (Planned Community Commercial District) — Vacant
<b>West:</b>	PMIX (Planned Mixed Use District) — Vacant

**Site Characteristics**

The 1.73-acre site is a relatively unremarkable commercial lot that generally slopes from east to west. The subject property is located in the Chapel Ridge Business Park and is vacant.

**Special Considerations**

None



### 3. Project Proposal

#### Parking

Proposed		Required	
Total parking spaces proposed:	91	Total parking spaces required:	91
Accessible spaces proposed:	4	Accessible spaces required:	4
Parking Reduction requested?	No	Off-site Parking requested?	No

#### Setbacks (Perimeter) - Building

Yard	Building Required	Building Proposed
Front (south)	15'	27.91'
Side (North and South)	10' or 0' for interior lot lines	16'
Rear (East)	20'	309'

#### Setbacks (Perimeter) - Parking

Yard	Parking Required	Parking Proposed
Front	20'	5.39'* – South*; 20' – West
Side	6'	43.82' – North
Rear	20'	459.5' – East

\*A modification has been requested as part of the associated PDP application (PL2023-319).

#### Structure(s) Design

Number and Proposed Use of Buildings
1 building
Building Height
28' (building height)
Number of Stories
1 story

### 4. Unified Development Ordinance (UDO)

Section	Description
4.190	CP-2 Planned Community Commercial District
6.202	Permitted, conditional and special use tables
6.620	When special use permit required

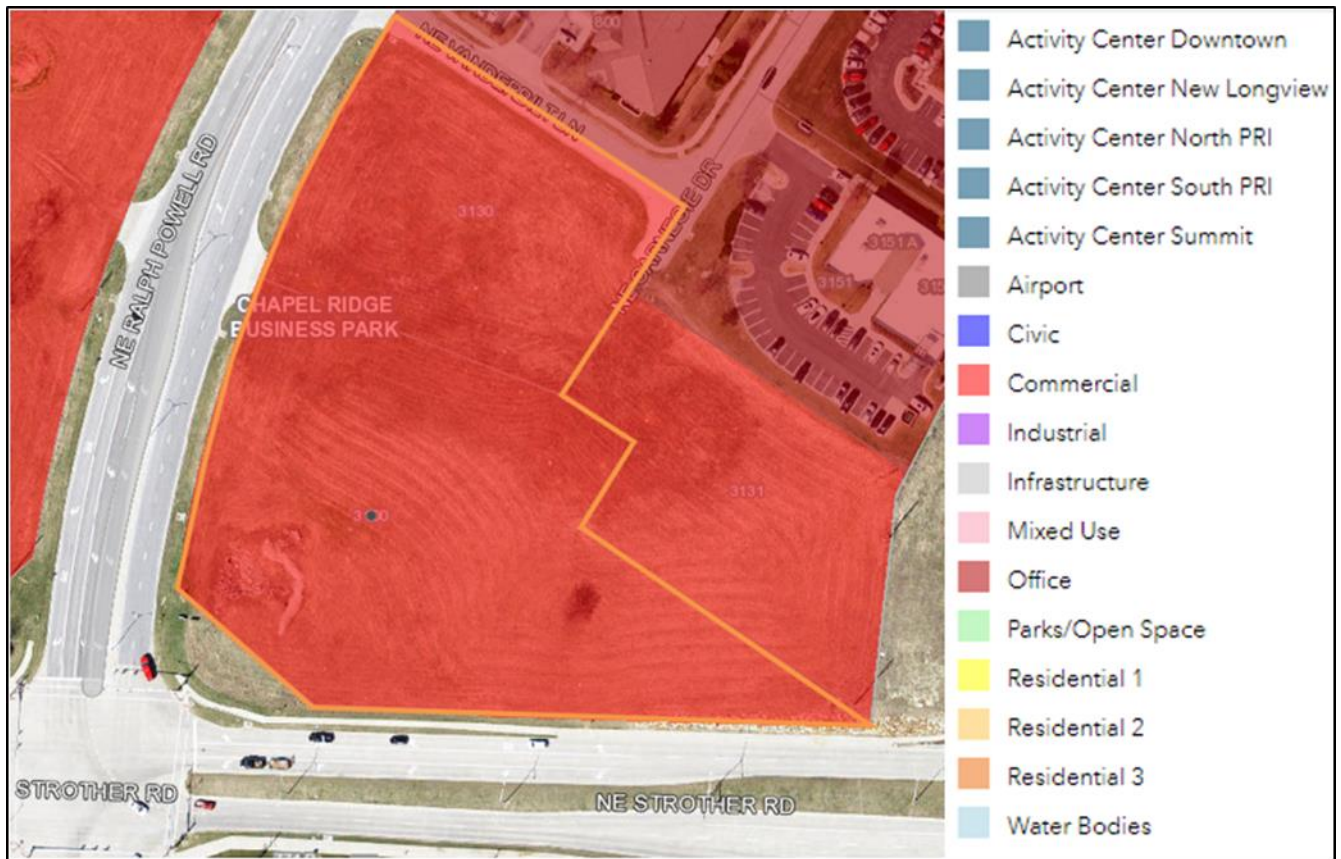
Table 6-1 of the UDO establishes a list of land use categories for each zoning district that are either permitted by right, permitted with conditions or permitted as a special use. Per this table, the land use category "Motorcycle Sales, Rental or Service (No Outdoor Display)" is an allowed use by right in the CP-2 zoning district. Currently, the UDO does not include a land use category for "Motorcycle Sales, Rental or Service with Outdoor Display."

For the subject application, the requirement for a SUP is triggered by the applicant's proposed use of the property for "outdoor display" of motorcycles. Uses not specifically set forth as "permitted uses", "prohibited uses" or as "uses subject to conditions" in the UDO shall be deemed to be "special uses". Per Section 6.620, as the UDO is silent on outdoor display of motorcycles, the proposed outdoor display is a land use that the Commission and Governing Body may consider granting a special use permit for in accordance with the requirements of the UDO.

This use category allows for motorcycle service without differentiating between major or minor service like it does in other land use categories. Since the UDO does not make a distinction between repair types in the "Motorcycle Sales, Rental or Service (No Outdoor Display)" group, all motorcycle repair types are allowed.

<b>Neighborhood Meeting</b>
<p>The applicant hosted a neighborhood meeting on December 7, 2023. Four members of the public attended. Comments from the attendees included;</p> <ul style="list-style-type: none"><li>• They felt the area was for medical and law offices</li><li>• Concerns of traffic</li><li>• Questions on maintenance of common areas</li><li>• Questions on how rides are organized</li><li>• Requested additional landscaping on north side of lot adjacent to NE Vanderbilt Rd</li></ul>

## 5. Comprehensive Plan





## 6. Analysis

### Compatibility

The proposed building will have a contemporary aesthetic that staff believes to be appropriate for an area with a mix of architectural styles and land uses. Proposed building materials include architectural metal panels, fiber cement boards, stone veneer and glass.

### Adverse Impacts

The proposed development is not expected to detrimentally impact the surrounding area as the proposed use and development standards are substantially similar to the surrounding commercial uses in the area.

### Public Services

The proposed development will not impede the normal and orderly development and improvement of the surrounding property. The subject site is the one of the last remaining undeveloped sites located in the Chapel Ridge Business Park with commercial existing to the north, south and west.

Sanitary sewer service for the site is provided by connection to an existing 8" public main located on the north side of the proposed building. Access to water will come from an existing 8" main located on the east side of NE Carnegie Dr.

Stormwater from the proposed development will be managed by an existing offsite regional detention system. The site is designed to collect the stormwater runoff and direct it to the detention system.

### Time Period

The applicant requests the special use permit be granted for a 20-year time period. This will be the first SUP granted for the outdoor display of motorcycles. As the display is associated with sales, the closest analogues SUP category would be Automotive Sales. The duration time frames that have been approved for these similar SUPs have typically ranged 20-30 years. Aristocrat Motors, Independence Ave Auto Sales, Lee's Summit Subaru (2031-2055 NE Independence Ave.), Ray Adams Toyota, and Stadium Honda were all granted a 30-year SUP. Eleven SUPs have been granted for a 20-year period. Most recently these include Fenton Nissan, Lee's Summit Subaru (2001 NE Independence), Volkswagen of Lee's Summit, Roberts Chevrolet, and Dave Cross Motors

Considering the significant investment required for a development of this nature and to remain consistent with previously approved comparable SUPs, staff finds the requested time from to be reasonable and recommends approval of the 20-year period.

### Recommendation

With the conditions of approval below, the application meets the goals of the, Ignite! Comprehensive plan and the requirements of the UDO.

## 7. Recommended Conditions of Approval

### Site Specific

1. The special use permit shall be granted for a period of twenty (20) years from the date of approval.