



The City of Lee's Summit
Action Letter
Planning Commission

Thursday, April 8, 2021

5:00 PM

Via Video Conference and City Council Chambers
City Hall
220 SE Green Street
Lee's Summit, MO 64063

Notice is hereby given that the Planning Commission of the City of Lee's Summit will meet in regular session on April 8, 2021, at 5:00 pm in person in the City Council Chambers at City Hall, 220 SE Green Street, Lee's Summit, Missouri, and by video conference as provided by Section 610.015 of the Revised Statutes of the State of Missouri. Due to the ongoing Covid-19 pandemic, public attendance in the meeting room at City Hall is limited. The public may attend in person at the location listed above or by one of these methods:

- By viewing the meeting on the City website at www.WatchLS.net, and various cable providers (Spectrum channel 2, Google TV channel 143, AT&T U-Verse channel 99 and Comcast channel 7) for those whose cable providers carry the City of Lee's Summit meetings.
- By sending a request to the City Clerk at clerk@cityofls.net to attend the meeting on the Zoom platform. The City Clerk will provide instructions regarding how to attend by this method.

Persons wishing to comment on any item of business on the agenda may do so in-person at the meeting location specified above at the time of the meeting or in writing prior to 5:00 p.m. on April 7, 2021, by one of the following methods:

- By sending an e-mail to clerk@cityofls.net,
- By leaving a voicemail at 816-969-1005 or
- By leaving written printed comments in the utility payments drop boxes located in the alley behind City Hall or inside the foyer at the north end of City Hall, both located at 220 SE Green Street, Lee's Summit, MO 64063.

Written comments submitted by these methods will be presented at the April 8, 2021, meeting. Persons wishing to speak at a public hearing on this agenda may do so by contacting the City Clerk prior to 5:00 p.m. on April 7, 2021, by e-mail at clerk@cityofls.net, and they will be provided with instructions regarding how to provide their live testimony via videoconference during the public hearing.

In the event that the meeting cannot be broadcast via www.WatchLS.net and the cable channels noted above, this agenda will be amended to include directions for the public to attend via the Zoom software platform at www.Zoom.com; such amendment will include a specific link to attend the Planning Commission meeting.

Call to Order

Roll Call

Present: 5 - Chairperson Donnie Funk
Vice Chair Dana Arth
Board Member Tanya Jana-Ford
Board Member Jake Loveless
Board Member Cynda Rader

Absent: 4 - Board Member Mark Kitchens
Board Member John Lovell
Board Member Matt Sanning
Board Member Terry Trafton

Approval of Agenda

A motion was made by Vice Chair Arth, seconded by Board Member Rader, that this agenda be approved. The motion carried by the following vote:

Aye: 5 - Chairperson Funk
Vice Chair Arth
Board Member Jana-Ford
Board Member Loveless
Board Member Rader

Absent: 4 - Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

Public Comments

There were no public comments presented at the meeting.

1. Approval of Consent Agenda

- A. [BILL NO. 21-88](#)** An Ordinance accepting final plat entitled Paragon Star, 1st Plat, Lots 1-4 and Tracts A-G, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First reading by Council on April 20, 2021. Passed by unanimous vote with one recusal.)

A motion was made by Board Member Rader, seconded by Vice Chair Arth, that this application be recommended for approval to the City Council - Regular Session, due back on 4/20/2021. The motion carried by the following vote:

Aye: 5 - Chairperson Funk
Vice Chair Arth
Board Member Jana-Ford
Board Member Loveless
Board Member Rader

Absent: 4 - Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

- B. [BILL NO. 21-89](#)** An Ordinance accepting final plat entitled Paragon Star, 2nd Plat, Lots 9, 10, 14, 16 and 20, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First reading by Council on April 20, 2021. Passed by unanimous vote

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with one refusal.)

A motion was made by Board Member Rader, seconded by Vice Chair Arth, that this application be recommended for approval to the City Council - Regular Session, due back on 4/20/2021. The motion carried by the following vote:

Aye: 5 - Chairperson Funk
Vice Chair Arth
Board Member Jana-Ford
Board Member Loveless
Board Member Rader

Absent: 4 - Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

- C. [BILL NO. 21-90](#) An Ordinance vacating a certain easement located at 2051 and 2061 NW Lowenstein Drive and 740 NW Pryor Road in the City of Lee's Summit, Missouri. (Note: First reading by Council on April 20, 2021. Passed by unanimous vote.)

A motion was made by Board Member Rader, seconded by Vice Chair Arth, that this application be recommended for approval to the City Council - Regular Session, due back on 4/20/2021. The motion carried by the following vote:

Aye: 5 - Chairperson Funk
Vice Chair Arth
Board Member Jana-Ford
Board Member Loveless
Board Member Rader

Absent: 4 - Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

- D. [2021-4064](#) Minutes of the March 25, 2021, Planning Commission meeting

A motion was made by Board Member Rader, seconded by Vice Chair Arth, that the minutes be approved. The motion carried by the following vote:

Aye: 5 - Chairperson Funk
Vice Chair Arth
Board Member Jana-Ford
Board Member Loveless
Board Member Rader

Absent: 4 - Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

Public Hearings

2. [2021-4068](#) Public Hearing: Application #PL2021-024 - Preliminary Development Plan - Lee's Summit Branch Library, 150 NW Oldham Parkway; Mid-Continent Public Library, applicant.

Chairperson Funk opened the hearing at 5:06 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Jim Stufflebeim, vice president and senior project manager with Sapp Architects, stated that other team members were present. These included Mr. Brad McKenzie, project manager and lead architect and Mr. Jerry Parsons, civil engineer with Olsson Associates. Mr. Jacob Wimmer represented Mid-Continent public libraries, which were in three Missouri counties. The new library was part of the master plan for Mid-Continent public libraries; involving 29 existing branches plus six new ones; three of these branches were in Lee's Summit. This was all part of Proposition L that had just been passed by voters, for \$113 million in capital improvements. Lee's Summit had two of the highest circulation libraries.

The east Lee's Summit branch had been completed about a year ago, and Colbern Road was close to being complete. About 17,000 square feet of the existing branch on Oldham Parkway was planned for renovation, with an addition of another 5,000 square feet. The result was Lee's Summit having three nearly new library buildings.

Following Mr. Stufflebeim's presentation, Chairperson Funk asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record. He related that the existing library was at 150 NW Oldham Parkway and was about 16,500 square feet. The applicant was asking for approval of a preliminary development plan for a 6,100 square foot to the existing building. A complete renovation was also proposed for the building's exterior as well as the parking lot. A displayed aerial zoning map showed that the surrounding properties to the north, east and west were zoned CP-2, with various service and retail businesses. The R-1 subdivision to the south of the subject property had been constructed in the early 1950s.

The applicant had requested using metal panels. The UDO's approved building materials were masonry, concrete, stucco and glass, with metal limited to incidental use. Architectural metal siding could be used if approved by the Planning Commission and City Council. However, the proposed material was consistent with other recently approved developments including churches, car dealerships, and the existing library branches on Blue Parkway and Colbern Road. Other materials planned for this project were masonry, brick, glass and aluminum-framed clear glass windows.

The applicant was requesting two modifications. They asked to reduce the required parking lot setback from 20 feet to 2 feet 4 inches along the east property line. This end was adjacent to NW Oldham Parkway. They were asking for 12 feet 10 inches along the south property line adjacent to SW McClendon Drive. The proposed parking lot was a continuation of the existing parking lot on the shopping center property. Adjacent to NW Oldham Parkway, the existing parking lot location varied from a 17-foot encroachment into the right-of-way at the north end, to a 13-foot setback from the right-of-way at the south end. In the interest of mitigating the negative impacts these reductions might cause, the applicant proposed installing bushes as screening along the back. Staff supported this modification request.

The second request was for a modification to signage. The UDO stipulated a 20-foot maximum height for pillar signs; and the applicant wanted to install a 21 feet, 7 inch pillar sign that was next to the driveway entrance on SW McClendon Drive. In view of the location and the short distance to US 50 highway, staff considered the sign compatible for the area. It would be in proportion to the building and would provide a reasonable means of identification. Staff also supported this modification.

The 2005 Lee's Summit Comprehensive Plan's land use map identified this area as "public or semi-public", with a library fitting that category. The building and proposed land use were in compliance with that Comprehensive Plan. The proposed development would not adversely impact the surrounding area; and the project would have an overall decrease in impervious area on the site. That would decrease the amount of stormwater runoff. The existing road network had enough capacity for the proposed use; and no improvements would be required.

With the requested modification and conditional material request, the proposed development would satisfy any requirements that would be applicable to the zoning district put forth in the UDO and the Design and Construction Manual.

Following Mr. McGuire's comments, Chairperson Funk asked if there was anyone present wishing to give testimony, either in support for or opposition to the application.

Ms. Roxanne Hill gave her address as 1400 SW 1st Street, at the corner of 1st and McClarendon. Her backyard was adjacent to a portion of the back of the parking lot and the drainage area. That drainage area, which belonged to the City needed updating; possibly with a concrete section that would divert the water runoff. The existing drain was clogged all the time, with the result that stormwater runoff was causing erosion. Further, between her fence and that drainage was an area where drivers often took shortcuts to the shopping center. It was basically a beaten-down dirt path. Some kind of additional access was needed; such as a ramp and sidewalk leading to the parking lot. Further, it looked like tearing out the pavement between the fences and the south side of the building was planned; and the degraded path could be replaced with a sidewalk. She had observed at least 20 cars and pedestrians cutting through there every day.

Chairperson Funk asked if the path she was referred to was a walking or driving path, and Ms. Hill replied that it was a walking path. A ramp would be able to accommodate bikes, wheelchairs or strollers, which currently would have to navigate a curb. A sidewalk was actually in place but because it was a long way around it was not used very much. People were looking for shortcuts. She added that she did not have any objection or opposition to the building itself. When the existing library was built, neighbors had allowed some encroachments such as pipes installed in residential yards and there had not been any issues.

Chairperson Funk then asked if the Commissioners had questions for the applicant or staff.

Regarding the modification request for parking lot setbacks, Mr. Loveless asked for some clarification; specifically how much space would be between the parking lot and Oldham Parkway. Mr. McGuire pointed out the rights-of-way and setback line on the map including a red line indicating the standard 20-foot setback. He also pointed out the proposed 2 feet 4 inch right-of-way line. It was a less of an encroachment than a drive lane on McClendon, and that was 12 feet 10 inch setback to the back of the curb. Mr. Loveless asked how much space would actually exist between where the parking lot ended under the proposed modification; and where Oldham Parkway traffic would go.

Mr. Loveless also wanted to know if there was anything the City could do about the walking path that Ms. Hill had described; asking if this was a planned walking path or just an access that foot traffic had created. Mr. McGuire pointed out its location on the displayed map, and confirmed that it was not an official pedestrian path.

Mr. Stufflebeim agreed that this was not an official pathway but just a shortcut across the south edge of the library property. It ran along a drainage way south of the building. That drainage way was paved and it would be taken out and replaced with grass. In terms of providing pedestrian access to the library, the applicant would certainly would be in favor of that. The location on that southwest corner did have a significant grade change; so putting in a sidewalk or paved path to the parking lot's corner would require some steps. It was a little too steep for a ramp; so the applicant would prefer to rather put in a sidewalk extension at the entrance driveway into the shopping center and to the parking lot. It would be a safer and more straightforward pedestrian access.

Concerning the drainage, Mr. Stufflebeim acknowledged that the drainage on that corner did not work very well. A ditch existed in front of the library property, as well as an inlet and a

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flume. The flume did not work very well, and often got clogged. It was all being replaced; and a pipe would be installed in the ditch and then covered. That would help in a small expansion of the parking lot in that direction. New inlets would be installed on the corner. Mr. Stufflebeim stated that the civil engineer was present and could answer any further questions, and added that regarding the previous question, the distance from the curb at Oldham Parkway to the corner of the proposed parking lot was about 12 feet.

Mr. McGuire added that a 17-foot encroachment into the right-of-way already existed at the north end of the parking lot shown on the map. The applicants were asking for a setback modification but there would not be an encroachment into the right-of-way. Mr. Stufflebeim added that the purpose was to maximize parking, which was at a premium at the current library site. The driveway was actually on the shopping center's property; and the idea was to improve and add to available parking across that driveway.

Ms. Arth noted that the Planning Commission had been seeing more requests for use of metal panels, and had been granting modifications for them. She asked if that might be something the Commission should consider changing in the UDO. Mr. Johnson answered that after the work on the Comprehensive Plan was done, staff would take a look at the design standards. They did want to provide some guidance concerning accepted materials. In some cases they could make a judgment call for an applicant who had a spec sheet on a material. Some architectural metal materials were a higher quality than others, so that might result in fewer modifications being necessary.

Chairperson Funk asked Mr. McGuire where the 21-foot sign would be located, and Mr. McGuire answered that it would be on McClendon near the driveway entrance. Chairperson Funk asked if it would be any visual obstruction for traffic, and Mr. McGuire answered that it would not. This would not be a monument sign that would be wider. It would be outside the sight distance triangle for approaching traffic.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:28 p.m. and asked for discussion among the Commission members, or for a motion.

Ms. Arth thanked Ms. Hill for her remarks as well as her cooperation in the past concerning the library; and Mr. Stufflebeim for listening to Ms. Hill's concerns and being willing to make changes. The library looked like it would be a beautiful building and she was looking forward to its opening. Chairperson Funk also expressed appreciation to Ms. Hill and to the applicant. He then called for a motion.

Ms. Arth made a motion to recommend approval of Application PL2021-024, Preliminary Development Plan: Lee's Summit Branch Library, 150 NW Oldham Pkwy; Mid-Continent Public Library, applicant. Ms. Jana-Ford seconded.

Chairperson Funk asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Vice Chair Arth, seconded by Board Member Jana-Ford, that this application be recommended for approval to the City Council - Regular Session, due back on 4/20/2021. The motion carried by the following vote:

Aye: 5 - Chairperson Funk
Vice Chair Arth
Board Member Jana-Ford
Board Member Loveless
Board Member Rader

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Absent: 4 - Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

- a. [BILL NO. 21-69](#) An Ordinance approving a commercial preliminary development plan located at 150 NW Oldham Parkway in district CP-2, in accordance with the provisions of Chapter 33, of the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

(Note: First reading by Council on April 20, 2021. Passed by unanimous vote.)

3. [2021-4071](#) Public Hearing: Application #2021-026-Preliminary Development Plan-Chase Bank, 890 NE Langsford Road; JP Morgan Chase Bank, N.A., applicant.

Chairperson Funk opened the hearing at 5:32 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Chad Fairbanks, with the Core States Group, stated that he was the civil engineer for this project. They were proposing a Chase Bank branch at the corner of Langsford Road and M-291. This had formerly been a gas station but the property had been vacant for some time. It would be a 3,300 square foot building with associated parking, drive-up ATM and a driving connection to the Plaza to the north. They would make some minor street improvements, as suggested City staff and the traffic study. A small median would be added along a portion of Langsford Road, which would be widened.

Mr. Bruce Lasure stated that he could answer any questions and make a presentation if necessary. Chairperson Funk then asked for staff comments.

Ms. Nelson entered Exhibit (A), list of exhibits 1-15 into the record. She displayed an aerial map showing what was adjacent to the proposed location, with that location outlined in yellow. A Hy-Vee supermarket was to the east, a Big Lots to the southeast as well as apartments and the Lee's Summit Historical Cemetery, and a number of retail stores directly to the north. A zoning map indicated CP-2 commercial zoning to the north, east and southeast. The apartments were zoned RP-4 and the cemetery was zoned AG. The subject property, which was currently vacant, had been a gas station from 1973 until about 2007 or 2008.

The proposed building would have 22 parking spaces including one handicap space. Proposed materials for the facades would be stone veneer, aluminum composite and fiber cement. The applicants were requesting one modification. The current ordinance required a 20-foot setback along M-291, and the modification would allow for the existing zero-foot setback from the M-291 right-of-way in the reconstructed parking lot. Staff supported this request. The proposed parking lot tied into the existing parking lot to the north, which also had a zero-foot setback. A cross-access easement along the east property line connected the two parking lots.

This modification was proposed in Condition of Approval 1. Condition 2 required the developer to execute a development agreement with the City concerning the median improvements "as addressed in the City Traffic Engineer's TIA dated March 21, 2010". It would be recorded in the Jackson County Records' Office before any building permits were issued. Condition 3 required the development to be consistent with the preliminary development plan.

Following Ms. Nelson's comments, Chairperson Funk asked if the City had received any public comments to this application. Ms. Nelson answered that she had been notified that the notification sent out to the apartments had been sent to an old address. A notification with the current address had then been sent out.

Chairperson Funk then opened the hearing for questions for the applicant or staff.

Ms. Arth asked noted that the number of required parking spaces was 14 spaces, but the plan showed 22. She was concerned that just one handicap space might not be enough. Mr. Fairbanks replied that the ADA and the City codes required up to 25 spaces including one ADA space.

Regarding the traffic study, Chairperson Funk asked if there was any concern about turns coming out of the parking lot onto Langsford. Mr. Cooley answered that there was not any concern about right-in-right out access to the property. Chairperson Funk noted that the turn lane would be right in front of the access point. The parking lot had one exit that came out onto Langsford, and he was concerned about someone trying to turn left out of the lot and having to go across Langsford into the traffic. Mr. Cooley answered that the access would be right-in-right-out only, and the median would block any left turn.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:42 p.m. and asked for discussion among the Commission members.

Chairperson Funk stated that he still did have some concern about this corner near heavy traffic having only one access off M-291 and only a right-in-right-out turn.

Hearing no further discussion, Chairperson Funk called for a motion.

Ms. Rader made a motion to recommend approval of Application 2021-026: Preliminary Development Plan: Chase Bank, 890 NE Langsford Rd; JP Morgan Chase Bank, N.A., applicant. Ms. Arth seconded.

Chairperson Funk asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Board Member Rader, seconded by Vice Chair Arth, that this application be recommended for approval to the City Council - Regular Session, due back on 4/20/2021. The motion carried by the following vote:

Aye: 5 - Chairperson Funk
Vice Chair Arth
Board Member Jana-Ford
Board Member Loveless
Board Member Rader

Absent: 4 - Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

- a. [BILL NO. 21-70](#) An Ordinance approving a commercial preliminary development plan located at 890 NE Langsford Road in District CP-2, 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.
(Note: First read by Council on April 20, 2021. Passed by unanimous vote.)

Roundtable

Mr. Elam reported that as staff continued to work through the Comprehensive Plan, they had scheduled an additional joint workshop with the Planning Commission and City Council, on

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Tuesday, April 27th at 6:00 p.m. The Commissioners should be receiving an email about that tomorrow. At this point, that was the last one that staff had scheduled and they would be taking some final feedback afterward. The proposed public hearing for adoption of the Comprehensive Plan would be in May.

Ms. Arth asked if this meeting would be in person and Mr. Elam answered that it would be virtual. Chairperson Funk asked if this would be the conclusion or if there would be one more; and Mr. Elam said that would depend on how much feedback staff received from this one. Since the Comprehensive Plan was adopted specifically by the Planning Commission, the Commission would have its own opportunity during the adoption process.

Ms. Jana-Ford asked if there would be a public hearing, and Mr. Elam answered that staff had scheduled one for May 20th. Whether comments would be incorporated prior to final adoption would be at the Planning Commission's discretion.

Chairperson Funk observed that after the previous Commission meeting the agenda had included a discussion about signage. Mr. Soto said that three public hearings were scheduled for the April 22nd meeting.

Adjournment

There being no further business, Chairperson Funk adjourned the meeting at 5:47 P.M.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"