

The City of Lee's Summit

Action Letter

Planning Commission

Thursday, June 10, 2021

5:00 PM

Via Video Conference
and

City Council Chambers
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 on June 10, 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 June 9, 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 June 10, 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 June 9, 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: 7 - Chairperson Donnie Funk
Vice Chair Dana Arth
Board Member Tanya Jana-Ford
Board Member Mark Kitchens
Board Member Cynda Rader
Board Member Matt Sanning
Board Member Terry Trafton

Absent: 2 - Board Member Jake Loveless
Board Member John Lovell

Approval of Agenda

A motion was made by Board Member Trafton, seconded by Vice Chair Arth, that the agenda be approved. The motion carried unanimously.

Public Comments

There were no public comments at the meeting.

1. Approval of Consent Agenda

- A. TMP-1934** Appl. #PL2020-223 - FINAL PLAT - Whispering Woods, 2nd Plat, Lots 34-50; Whispering Woods Lands, LLC, applicant

A motion was made by Vice Chair Arth, seconded by Board Member Kitchens, that this application be recommended for approval to the City Council - Regular Session, due back on 7/6/2021. The motion carried unanimously.

- B. TMP-1935** An ordinance vacating certain easements located at 510 NE Chipman Road in the City of Lee's Summit, Missouri.

A motion was made by Vice Chair Arth, seconded by Board Member Kitchens, that this application be recommended for approval to the City Council - Regular Session, due back on 7/6/2021. The motion carried unanimously.

- C. [2021-4182](#)** Minutes of the May 20, 2021, Planning Commission meeting.

A motion was made by Vice Chair Arth, seconded by Board Member Kitchens, that the minutes be approved. The motion carried unanimously.

Public Hearings

- 2. 2021-4185** Public Hearing: Application #PL2021-059 - Preliminary Development Plan - Summit Point Phase II, 510 NE Chipman Road; Canyon View Properties, 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. Lance Scott, of CFS Engineers, gave his address as 1421 E. 104th Street in Kansas City, Missouri. He stated that the existing Summit Point apartments had 100 units and had been built in the mid-1980s. The proposed development would have 144 units, with sizes ranging from one to three bedrooms; and located on the back parcel at the property's north end. The applicant had requested a few modifications that staff had summarized in their report.

Mr. Scott displayed a color rendering of the proposed apartments, and added that the project would include updating the exteriors of the existing buildings. The applicant had held a public meeting, with the main concerns being access and traffic. During construction, some of the deliveries would go through English Manor, which had a public road that had been built for the development. A gated entry off English Manor was being considered but no decision had been made. If this was done, it be just for emergency access.

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

Mr. Soto mentioned that Mr. Sanning had joined the meeting via Zoom.

Mr. McGuire entered Exhibit (A), list of exhibits 1-16 into the record. He pointed out that the project would include a new pool and clubhouse. The applicant had requested some modifications, including a modification to the minimum parking requirements, a density increase to the requirement for RP-4 zoning, and to an interior building lot line requirement. The property to the north was zoned RP-4 and was the site of the AMLI Summit Ridge apartment development. Zoning east of the property was RP-3 for English Manor and R-1 for St. Mathew's Church. The existing RP-4 zoned Phase I of Summit Point was south of the property; and Lee's Summit North High School was to the west.

Materials for the proposed buildings included stucco, lap siding, cultured stone and board and batten siding. Roofing materials would be asphalt shingles with a bronzed standing seam metal roof on the dormers.

Mr. McGuire then gave details about the requested modifications. RP-4 zoning allowed a maximum of 12 dwelling units, with the modification allowing 17.48 per acre. This was consistent with similar multi-family developments in Lee's Summit. The requested density for the apartments was lower with the Village at View High and the Aria apartments. The other modification would be to minimum parking requirements. Staff had evaluated this requirement using information published by the Urban Land Institute and also in comparison to parking requirements in comparable suburban communities in the Kansas City area. For the residential rental land use, parking ratio of 1.98 parking spaces per unit, which was higher than other cities in the region. Staff supported this modification as well.

At present the UDO required a minimum 10-foot setback from a side yard lot line. When Phase II was completed, the development would have one apartment complex on two separate lots; both of which were owned and managed by the same parent company. For reasons related to funding, the applicant would not be able to combine the two lots. The requested modification was limited to an interior lot line for one specific building, and staff also considered this modification to be reasonable. The City had heard concerns about construction traffic damaging SE English Manor as well as increased traffic on that street.

In 1985 the City Council had approved a site plan for the Summit Point apartments. That site plan had shown Phase II; however, a preliminary development plan was required due to the lack of detail on the original plan. The existing apartment developments were located to the north and south of the proposed project; and to the east transitioned to the four-family English Manor development, which had been built in 1990. The church was southeast of the proposed development. Mr. McGuire concluded that with the five Conditions of Approval, the proposed project met the requirements of 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.

Mr. Rodney Rockwell stated that he had been a resident of English Manor since 1992. He and the other three property owners had concerns about traffic; specifically trucks along English Manor during construction. Due to the way English Manor had been built, everyone parked

their car on the street; so people were often speeding up and down a street that was full of parked cars. They needed to put in speed bumps. There was also traffic accessing Independence Avenue, which could get intense at some times of day. No median existed at Chipman, but currently Summit Point had two right-turn locations. English Manor had one access point for both left and right turns.

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

Commissioner Kitchens noted that one of the buildings was in a 100-year flood plain not designated by FEMA. Looking over some of staff's recommendations in that same area, it looked like the City was waiting for more information. He asked if there any mitigation plans in the event of a flood. Mr. Scott acknowledged that he had seen "Flood Plain A" in the FEMA map; but he was confident that the property was not in a flood plain. He'd had several studies done; and not only did the property have a significant setback from the stream; it was also at an elevation about six feet higher than its surroundings.

Commissioner Kitchens asked if this information was certified before moving forward with staff. He wanted to avoid the potential consequences of the City agreeing to move forward without certification. Mr. Scott assured that while additional work still had to be done, he did not anticipate any issues.

Commissioner Kitchens asked Mr. Monter what was the next move if it was determined that the property was in a flood plain. Mr. Monter answered that staff was agreeable to this application moving forward as a preliminary plan. If flooding was a concern and base flood elevation did become an issue, staff would not approve a final development plan until the issues were addressed. He added that this would be an administrative decision and would not be brought to the Planning Commission. Staff actually had two different departments looking at this and had two different engineers doing a review. They would work with the applicant to get the study done to a point that staff was confident that there would not be flooding issues. It might be necessary to revise the plan and move a building further back. That and the existing FEMA study needed to make it clear what was known and not what was supposed or assumed.

Mr. Kitchens agreed, adding that City staff played a major role in getting developments through. He liked the plan but had seen a lot of apartments get flooded due to not having a mitigation plan before construction. Mr. Monter clarified that neither staff nor the applicant had any contact with FEMA to date. Mr. Commissioner Kitchens recommended that the applicant contact FEMA and possibly having them take a look at the property. The maps had been updated to within five years; however, a specific re-assessment of the area would be a good idea. Mr. Monter responded that if FEMA was provided with the information that staff would be requesting from the applicant, provide FEMA might result in their changing the designation for this area.

Commissioner Jana-Ford noted that the City had heard a public comment about safety during construction. She asked the applicant to give some details, including whether or not construction traffic would go through English Manor or the apartments' parking lots. Mr. Scott answered that the applicants were not that far along yet; however, they did know all the construction workers would come through Summit Point and park there. At present there was no shortage of parking spaces. Whenever possible, workers and materials would be routed through there.

Ms. Jana-Ford noted a mention in staff's report that the property would be two different lots but one owner. She asked if this would make a difference for future tenants in terms of who to contact with questions or other issues. Mr. Scott replied that it would not. It was the same parent company but a different entity owning each of the two lots. He added that this was due to financing.

Chairperson Funk asked for someone on the City staff to answer the questions about the increase in traffic at English Manor based on the number of units. Mr. Brad Cooley, Staff Engineer replied that the quickest route was south on Chipman. The English Manor road had been planned as part of the second phase. Staff's impact analysis indicated that the number of units planned did not indicate a possibility of 100 trips during peak traffic hours. That number of trips was a minimum for a traffic study.

Chairperson Funk asked if an amenity area, such as a pool and clubhouse, would be part of the development. Mr. Cooley replied that the existing pool would be replaced with a larger pool and a clubhouse. Chairperson Funk then noted a mention in the development plan of renovating the buildings up front. He asked if these would have the same finishes as the buildings behind them. Mr. Cooley replied that most likely the finishes would not change. They would be limited to general maintenance, paint and siding. It would amount to a face lift of the older units.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:30 p.m. and asked for discussion among the Commission members, or for a motion.

Commissioner Rader made a motion to recommend approval of an ordinance approving a preliminary development plan for Summit Point Phase II, located at 510 NE Chipman Rd, 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. Ms. Jana-Ford seconded.

Chairperson Funk asked Mr. Bushek if the language approving the ordinance was sufficient or if the motion should address the application itself. Mr. Bushek answered that the recommendation of approval would be for approval of the preliminary development plan. The ordinance was included on the agenda as a reference point. Chairperson Funk then called for a new motion.

Commissioner Arth made a motion to recommend approval of Application PL2021-059, Preliminary Development Plan: Summit Point Phase II, 510 NE Chipman Rd; Canyon View Properties, applicant. Commissioner 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 7/6/2021. The motion carried unanimously.

- a. **TMP-1936** An Ordinance approving a preliminary development plan for Summit Point Phase II, located at 510 NE Chipman Rd, 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.

3. **2021-4187** Public Hearing: Application #PL2021-105 - Rezoning from AG to RP-1 and RP-2 and Preliminary Development Plan - Bailey Farm, Lots 1-251 and Tracts A-F, 1300 SE Ranson Road; Summit Homes, 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. Dan Foster of Schlagel & Associates gave his address as 14920 W. 107th Street in Lenexa, Kansas. Also present were Mr. Brad Kemp, Ms. Tiffany Ford and Mr. Travis Root from Summit

Homes. Mr. Foster related that over the past several months they had been working with staff on a design for a new project. It consisted of 91 acres located on the southwest corner of SE Ranson Road and SE Bailey Road. Mr. Foster thanked staff for their assistance. The applicants were seeking approval of rezoning for AG to RP-1 and RP-2. The proposed subdivision would be 252 lots, 219 of which would have single-family homes the rest would have duplexes; plus six common area tracts.

The property would be accessed off Bailey Road across from Brownfield Drive; plus an access road off Ranson across from the entrance James A. Reed Memorial Wildlife Area. A third access point would be through Cape Drive at the southwest corner, after the school finished the extension of their road. Cape Drive was designated by the master plan as a collector street the project also included improvements to Bailey Road and Ranson Road, as indicated in the traffic study the applicants had done.

The finished development would include three neighborhoods. The south 43.7 acres would be zoned RP-1 and would have 103 single-family "manor" lots. The north 46.21 acres would be zoned RP-2 and have 73 "retreat" lots in the northeast corner as well as 75 "cornerstone" lots. The applicants were requesting a modification to the required lot widths, from the standard 60 feet to 40 feet. They were also asking to reduce the minimum lot size to 4,800 square feet, and reduce the corner setback to 15 feet. On the displayed map, Mr. Foster pointed out the locations of the 43 single-family lots and 42 duplex or cornerstone lots.

Summit Homes also requested a modification to the lot widths in the northeast corner, reducing the widths from 60 feet to 50 feet. Another requested modification was to block length, partly due to the location of the water drainage area. The roads had to be aligned to allow for normal traffic flow, and that created an unusually long block at the northeast section.

The project would include an amenity center and a generous amount of green space; particularly on the west side, which was also a drainage area with stormwater detention. They would also extend the trail along both Bailey and Ranson Roads. Mr. Foster then played a video showing the amenity area with swimming pool and community gardens. The architecture would generally conform to a 'farm' motif, in keeping with the property's history. The video also showed the designs and colors of the homes, which included both single-story and two-story houses.

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

Mr. McGuire entered Exhibit (A), list of exhibits 1-17 into the record. He summarized the application as a request to rezone 91 acres located at the southwest corner of SE Ranson Road and SE Bailey Road to RP-1 (Planned Single-family Residential) and RP-2 (Planned Two-family Residential). The development would have a total 219 single family lots, 32 two-family lots and six common area tracts. The density for the overall project would be 2.8 units per acre.

Single family subdivisions would be located to the north across SE Bailey Road, with the James A. Reed wildlife area across SE Ranson Road. An undeveloped property zoned AG was at the south property line. The new R-7 Lee's Summit middle school, currently under construction, was to the west. Materials proposed for the homes would be lap siding, cedar shake, board and baton, stone/masonry, brick and stucco for the front elevations. Smart panel, speed lap and vinyl lap siding would be on the sides and back and roofs would be composite shingles and standing seam metal. Mr. McGuire displayed color renderings of additional elevations.

The applicants had requested modifications to minimum lot widths and lot areas as described earlier. In order to meet a demonstrated market demand, designs of the proposed homes would be narrow, and would require more narrow lots. The proposed housing products met the Comprehensive Plan goal of diverse housing types in the interest of providing for the community's changing housing needs. The requested modification to minimum principal

building setbacks from 20 feet to 15 feet was allowed by right in the adjacent RP-1 zoning district. Since this would be a master planned community, the required setback would maintain a consistent look through both zoning districts. It would not negatively impact adjacent properties.

Another requested modification was to block length. The increased block length was due to the location of the existing street networks. The UDO required that the proposed SE Bailey Farms Parkway be aligned with the existing SE Brownfield Drive; and for this reason staff supported this modification as well.

The application had been reviewed for compliance with the 2005 Comprehensive Plan, since the proposed project had been submitted before adoption of the 2021 Ignite Comprehensive Plan. The land use map for the 2005 Comprehensive Plan identified this area as low-density residential use. Livable Streets elements were identified in that plan, with the Greenway and the Bicycle Transportation Plan showing a need for a 10 foot wide shared path along both Bailey and Ranson Roads. With the addition of the shared use path along Ranson, the proposed development would be in compliance with that particular plan. It was also consistent with surrounding land uses. Staff had received one comment from a resident of the Newberry subdivision regarding the traffic on SE Cape Drive.

Mr. McGuire displayed a list of site specific Conditions of Approval, and stated that in combination with the conditions mentioned in staff's report, this application met the requirements of both the UDO and Design and Construction Manual.

Following Mr. McGuire's presentation, Chairperson Funk asked if there was any additional testimony. Hearing none, he asked if the Commission had questions for the applicant or staff.

Regarding the reduced lot size modification, Ms. Arth noted that the Commission had already had a discussion of that with Ignite. Mr. Johnson replied that staff was planning a UDO amendment to address that, in addition to some city-wide minimum design standards for single family homes. They planned to organize a group of local architects for that project. That would need to accompany the minimum lot width standards.

Commissioner Arth noted to Mr. Foster that the green area on the map with the pool and other amenities included a couple of sidewalks. She asked how these would connect to other streets. Mr. Foster pointed these out on the displayed map, showing how they looped around the ball fields and then connected to the public sidewalks within the development.

Commissioner Arth then asked about pricing, noting the recent increase in lumber prices. Ms. Tiffany Ford gave her address as 1613 SW Whistle Drive in Lee's Summit. She acknowledged that at present, price projections would be difficult due to the current rapid market changes. At present, similar products were selling in other communities from \$300,000 to over \$700,000.

Commissioner Rader asked what would be the range in terms of area. Ms. Ford replied that areas would range from 1,265 square feet to 3,600 square feet for single family homes with finished basements on the larger lots.

Commissioner Kitchens liked this plan and application, especially the location near the new school. He asked if there was any adjacent road across the entrance to the nearby James A. Reed Wildlife Area, and Mr. Foster pointed out the location of SE Cape Drive. Commissioner Kitchens especially liked the plan for walking paths all over the neighborhood, especially in view of the Comprehensive Plan's mention of bicycle-friendly streets. He asked if there was any concern about pedestrian traffic across from the development. Mr. Foster responded replied that they did not anticipate problems, adding that this kind of situation occurred in a number of cities in the region. They were doing some improvement to help with turns at the

intersection.

Commissioner Kitchens remarked that there would very likely be many people crossing that road to get to James A. Reed, both on bicycles and on foot. He observed that there had been efforts over the years to make encourage walking and bicycling, and asked if a crosswalk would be added. Mr. Cooley answered that the traffic signal at the intersection would direct foot traffic; but Ranson Road at James A. Reed was under MoDOT's jurisdiction.

Mr. Sanning noted that the common area included six tracts that would be adjacent to the school. He asked if there would be any pathways accessing the school from the subdivision. Mr. Foster answered that he had included the school property in the plan; but there were no paths at this point. There would be connections along Bailey Road as well as the other collector street. He added that this part of the area included a large creek that would be difficult to cross via a trail. At present the two connections on each end going to the school would be sufficient.

Commissioner Trafton remarked that the Commission had previously approved the middle school, and Cape Drive was proposed for future construction. He asked if the connector between the two subdivisions would be completed in the final development plan. Mr. Cooley answered that it would. Staff had already received some communication regarding the two applications, and documents pertaining to those plans; so discussions were underway for getting the road plans put together.

Chairperson Funk noted that the video had mentioned a community garden; and asked if there were plans for how they would be maintained. Mr. Roof replied that these would be individual plots maintained by the residents who used them; with the HOA providing oversight.

Chairperson Funk recalled a mention of lap siding and stone. He had not seen much stone used as material in the renderings. Mr. Roof acknowledged that lap siding was the predominant material; however, more stone was indicated on other elevations. Chairperson Funk remarked that the rendering of the townhomes in particular appeared in the rendering to use primarily lap siding. He then asked if the townhomes would have basements or just be slab on grade foundations; and Mr. Roof answered that they would have full foundations.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 6:00 p.m. and asked for discussion among the Commission members.

Commissioner Arth remarked that this was a very well thought out plan. She liked the farm motif in particular, and the way the community garden was tied in with it. The reduced lot sizes were compatible with the new Ignite plan, and the development was very walkable, especially in relation to the nearby school. Commissioner Kitchens agreed, and was especially impressed with the location. He thanked the applicant and developer for bringing in a development that would be beneficial to Lee's Summit. Commissioner Trafton considered the application to be very suitable in particular for the location close to the James A. Reed wildlife area and a school.

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

Commissioner Rader made a motion to recommend approval of Application PL2021-105, rezoning from AG to RP-1 and RP-2 and Preliminary Development Plan: Bailey Farm, Lots 1-251 and Tracts A-F, 1300 SE Ranson Rd; Summit Homes, applicant. Commissioner Arth seconded.

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

Planning Commission

Action Letter

June 10, 2021

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 7/6/2021. The motion carried unanimously.

- a. **TMP-1937** An Ordinance approving a rezoning from AG (Agricultural) to district RP-1 (Planned Single-family Residential) and RP-2 (Planned Two-family Residential) and preliminary development plan for Bailey Farm, Lots 1-251 and Tracts A-F, located at 1300 SE Ranson Rd, 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.

Roundtable

Commissioner Kitchens congratulated Mr. Park on his promotion to Director of Public Works.

Mr. Johnson stated that for the next few months, most of the applications would be reviewed under the old Comprehensive Plan. Staff was finishing the final draft of the new plan.

Adjournment

There being no further business, Chairperson Funk adjourned the meeting at 6:01 p.m.

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