

The City of Lee's Summit
Action Letter
Planning Commission

Thursday, April 14, 2022

5:00 PM

City Council Chambers and videoconference

Notice is hereby given that the Planning Commission for the City of Lee's Summit will meet on Thursday, April 14, 2022, at 5:00 pm in the City Council Chambers at City Hall, 220 SE Green Street, Lee's Summit, Missouri, and via video conference as provided by Section 2-50 of the City of Lee's Summit Code of Ordinances, adopted by the City Council on June 15, 2021, Ordinance No. 9172.

Persons wishing to comment on any item of business on the agenda, including public testimony during a Public Hearing, via video conference may do so by sending a request prior to 5:00 p.m. on Wednesday, April 13, 2022, to the City Clerk at clerk@cityofls.net to attend the meeting on the video conferencing platform. The City Clerk will provide instructions regarding how to attend by this method.

Call to Order

Roll Call

Present: 6 - Chairperson Donnie Funk
Vice Chair Dana Arth
Board Member Randy Benbrook
Board Member Tanya Jana-Ford
Board Member Cynda Rader
Board Member Chip Touzinsky

Absent: 3 - Board Member Mark Kitchens
Board Member Jake Loveless
Board Member Terry Trafton

Approval of Agenda

Chairperson Funk announced that there were no changes to the agenda, and asked for a motion to approve.

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

Public Comments

There were no public comments at the meeting.

1. Approval of Consent Agenda

- A. [TMP-2263](#) Appl. #PL2022-040 - FINAL PLAT - Market Street Center, Lot 1-2 & Tract A, 3501 SW Market St; Foresight Real Estate, LLC, applicant

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A motion was made by Vice Chair Arth, seconded by Board Member Rader, that this application be recommended for approval to the City Council - Regular Session. The motion carried unanimously.

- B. [TMP-2264](#) Appl. #PL2022-054 - VACATION OF EASEMENT - 3501 SW Market St; Foresight Real Estate, LLC, applicant

A motion was made by Vice Chair Arth, seconded by Board Member Rader, that this application be recommended for approval to the City Council - Regular Session. The motion carried unanimously.

- C. [2022-4843](#) Approval of the March 24, 2022, Planning Commission Minutes.

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

Public Hearings

2. **2022-4851** Public Hearing: Appl. #PL2022-047 - PRELIMINARY DEVELOPMENT PLAN - K1 Speed, 2911 NE Independence Ave; DH4 Holdings, LLC, applicant

Chairperson Funk opened the hearing at 5:10 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Scott Slaggie of Slaggie Architects, located in Kansas City, MO gave a presentation along with Mr. David Hill, owner/representative of K1 Speed.

Before Mr. Slaggie's presentation he asked that Mr. Hill give some background as to why they've chosen Lees Summit and why they're going to bring this exciting concept to Lee's Summit.

Mr. Hill stated that he and his family have been Kansas Citians for a long time. His son lives in Lees Summit. They started two different software companies in the Kansas City Metro. The most recent, Quest Analytics, is still operational in Overland Park. They have a couple hundred employees. About a year ago he retired from that and now sits on the board. As a family, they are looking for something fun and exciting to do that would bring them closer to the community. And as a software company, they are disconnected from the consumers. Their passion for racing and desire to bring something into Kansas City that they could connect with the community brought the idea that they could bring a K1 Speed. This is a franchise based in Irvine, CA and they actually came up on it as part of a corporate event where they took their software engineers to a K1 speed for a corporate event and enjoyed it so much they thought Kansas City needed something like this. They are excited about it and think Lee Summit is the perfect place to do it.

Mr. Slaggie went on to describe the project. He explained that this is an exciting concept to come to Lee's Summit. It's located right next to Frontier Justice and Sky Zone. So, there are entertainment concepts right there next to each other. They thought that was an ideal location. This concept is not just doing a traditional box here because K1 speed is all about motion and excitement and they've been working closely with the franchise or the owner and the franchisees, to incorporate a lot of their trade designs that they have throughout the country into this particular location. The good thing here is that they get to create a new prototype. They usually go into existing buildings, such as an old Best Buy or a flex office space. Here they get to go ground up and really personalize this building to make it even more exciting than what they have now in their portfolio. As visitors come to the facility they are creating anticipation as they're coming into the building. You'll see there's a car out front that they call that the winner's circle. So, if you go there with your friends and you happen to win your heat, you get to boast by being out there and get a photo in the winner's circle. They will

use a lot of rich landscaping, native grasses and be good stewards of the environment as well as creating a very exciting building that you'll see not just from the front entrance. They have taken proper care to illuminate the building at night, so it has the same sort of vitality it would during the daytime. As you go around the building the entrance is important because they have the dining area, the public gathering area where you would check in and the bar. So, it's really convenient to those who come in and you will also see how it flows right into an outdoor courtyard that can be used for dining as well. As for corporate events they think this is the right dynamic. The image you'll see coming along the highway will become a beacon so folks know where to go as a wayfinding device to find their way to the building. You'll see that from really both vantage points. They are taking proper care to hide the loading dock, the dumpster enclosure, all of which will be handled by both gates and fencing as well as landscaping. The necessary requirements have been put in place for fire department access around the building and they are working very closely with city staff to make sure they're doing that properly. They are showing the opportunity for having solar panels on top of the roof and are still considering what that would look like, but also know by doing so that it is hidden from view from the ground plane. Mr. Slaggie went on to explain the details of the cars. The cars will go up to 45 mph. The track has a spring-loaded bumper that will absorb the impact as you come around. The franchise will approve the track prior to construction. The cars are all electric, twelve run the track at a time and the races last 10-20 minutes. The building will incorporate some metal panel. The triangular entrance will match the brand throughout the country.

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

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record.

As the applicant explained this property is located just off Independence Ave. The commercial subdivision to the north is a mix of undeveloped property and a doctor's office both are zoned CP-2. South is the P-mix Zone, I-470 business and technology center development. West is the PI zoned MoDot maintenance & sign shop, and then east there is the I-470 Interstate or highway. The subject lot will be split into two lots. On LOT 2 is the proposed K1 speed. The building is approximately a 46,000 square foot building. Lot 1 is identified as a future pad site for future structure. To be built under a separate application. If not for the proposed modification to the curbing here that he'll talk about later and the conditional metal panel materials on this application it could move forward as a Final Development Plan. Because there is an existing PDP out here, the process for any future development on lot one really will be dictated by what they're proposing. So it may come back as a PDP, it may come through as an FDP just based on what they're proposing. So until we have an application, we really don't know. As stated, the proposed building materials do include metal panels, and it also includes a combination of glass, aluminum composite, metal panels and precast cement walls as you're accustomed to hearing, the UDO does restrict the use of metal panels as a conditional material. The conditional material requires the approval of Council. They have proposed a total of 42% and 11% on the West and South elevations respectively, so they have limited it to a minority of the wall facade so they are compatible with the design and construction of existing commercial and industrial buildings surrounding the development and throughout the community as a whole, churches, car dealerships, libraries, the recently the fire stations that have been approved. As I said, they are requesting a modification. The UDO does require a CG1 curb type. To surround all parking and driveway areas, they are proposing a rollback type curb in this area. As shown in the example, it's a small section. The reason for that is to gain access to this fire lane. So, if an emergency arises, first responders have easy access back there. Also as a benefit, it does allow them easier access to their display area for vehicles that they would do want to go out there. Staff finds that the requested modification is reasonable, and for that reason they support it. The comp plan does identify this area on the future land use map as commercial, so the proposed use is in compliance with the comp plan future land use map. The property is already zoned CP-2, so the proposed use is compatible with the existing zoning, the objective established by the COMP plan, is to create a community that celebrates and

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welcomes and supports cultural parks and recreational amenities. So the subject application meets this goal by providing recreational opportunities and not currently available in the city or the surrounding community. There are two conditions that are approval. Essentially it's a modification for that that curb and a requirement that they develop in accordance with the submitted plans. So, with these conditions and approval here and as outlined in the staff letter the application meets 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.

Hearing none, Chairperson Funk then asked if the Commission had questions for the applicant or staff.

Dana Arth asked Mr. Hill what the hours of operation will be. Mr. Hill responded with the operating hours, Monday through Friday, open at noon and run till 10:00 PM. Friday night they will stay open until midnight. Saturday they will open a little earlier 10:00 AM to midnight and then Sunday open again at 10:00 AM, but then close back at 10:00 PM again.

Ms. Arth then asked if the restaurant is just casual food and asked for confirmation that there's a bar area and place for people to hang out while they're waiting. Mr. Hill confirmed her assumption of a place for parents and friends and family to wait while for their turn on the track or while their children are racing. They can utilize the bar and restaurant area, it's pretty casual food. Nothing terribly high end. As far as beverage, there is beer and wine only.

Mr. Touzinsky had a question for staff on that rollback curb. He asked if it will just go right in front of the winner's circle? Because the applicant did show some pictures of cars backing up onto that. Mr. McGuire responded with an explanation of the area. Mr. Touzinsky clarified that to gain access you'd have to go across the rollback curb or drive over the standard curb. The applicant indicated that the original plan was to have the rollback curb the full extent but given the UDO requirement that had to be changed. Staff was not comfortable supporting the full rollback. Mr. Touzinsky had a concern that they'll try to take cars off the curb and it will become damaged. He thought it was a better option to continue that rollback curb all the way up. Mr. Touzinsky's second question for the applicant was the age group for children to be able to ride these vehicles? Or to drive these vehicles. The applicant replied that there's actually no age requirement but there are height and weight requirements. For the junior karts, he believes you have to be 42 inches tall to ride those and for the adult karts, it's 50 inches or taller. There's a weight restriction and he thought that was around 280 pounds.

Commissioner Jana-Ford asked the applicant why they selected Lee Summit, what makes Lee's Summit the great location for this? The applicant responded that they think that Kansas City is optimally located to bring the K1 experience to the Midwest and Lee Summit in particular meets the right type of demographic that they're looking for. There are a lot of exciting things going on and they see some synergies with the other businesses in that area like the Sky Zone, Trampoline Park and Frontier Justice. Ms. Jana-Ford asked about the safety protocols that are going to be set for adults that may have had one too many alcoholic beverages. How are the adults being you separated from the kids? The applicant responded that they have a protocol for that situation. When a person comes in to race they check in the building when you first enter. If you intend to race and you get a wristband, the kind that has to be cut off. So you get the wristband and it says don't drink and drive. That is used as an opportunity to promote healthy behavior. While you're wearing that wristband, you can race. Once you cut it off you can purchase alcoholic beverages. For clarification, you are not able to have a beer or wine until after you're completely done racing. Once you've cut that wristband off, then you can no longer race or participate in any racing activities. Ms. Jana-Ford then addressed Sloggi architect about the solar panels and how they are going to use them. She asked if there was a goal that they're trying to meet for energy that's produced by the solar panels versus from the grid?

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The architect said that he thinks the intent was that they want to be good stewards of the environment. They may even have charging stations.

Commissioner Benbrook asked about the large grassy area in the middle of the parking lot. He wanted to know if there had been any discussion about creating a rain garden or something that would capture and use the storm water instead of running it into the gutters. Mr. Slaggie replied that they had shown a very elaborate landscaping plan and that they would like to use that as a rain garden or for storm water quality. They haven't gotten that far yet because this is a preliminary development plan, but they would like to look at that for a final development plan.

Mr. Benbrook then asked about the fire department drive along the South side of the building. He asked if there are any protocols for permeable surfaces? Would that be available? Or is it pretty strict as to what's allowed? Mr. Slaggie said that they had talked to the fire chief at length about that, but that he said that he's had some experiences in the past by using that semi permeable material and it wasn't maintained so he has now decided that there be a moratorium on using those going forward. Mr. Slaggie said that they would love to have that as a material but that they know that they're not allowed to do that at the present time.

Assistant Chief Jim Eden stated that they have had some experiences in the past with turf blocks. They work great if you are in an area that doesn't have four seasons, they have problems with them being maintained. That has caused some problems in the past. He said that they need to be able to make sure that they have access to our buildings year-round. They also have to support the weight of a 75,000 pound fire truck. There is some engineering that goes along with that as well as third party inspections when they're installed. Mr. Benbrook thanked him for explaining that. He went on to follow up on that a little bit. Mr. Benbrook said that there isn't anything in our ordinance to prohibit the use of pervious pavement as long as it can be designed for the demand or sustain the vehicle weight that's referred to by Chief Eden. He added that it's more difficult to maintain in an area that gets snow and ice.

Mr. Benbrook then commented on the two alternatives for trash collection. He said the option that's on the north side of the building looks like it's accessible from the adjacent lot. There is a platted cross access season between those two lots that maintains access to that trash dumpster area. He went on to ask if there was going to be any kind of recessed turntable, for the winner's circle or is it just circles in the pavement that create that space? The applicant replied that it's just a paving treatment. But they do plan on recessing some lighting that will shine up on the car. Mr. Benbrook then asked if the large red block that is called out as precast concrete texture would be stained or painted. The applicant replied that they would use a high-performance coating in lieu of staining. Stain tends to be hard to control. Mr. Benbrook went on to ask if the applicant had given any thought to a small battery storage room so that the cars could be charged in the evening using the solar energy collected during the day. The applicant indicated that the engineers had not gotten that far yet.

Mr. Funk initiated discussion regarding the roll back curb vs. the CG1 curb. He asked for clarification regarding the location of the roll back curb and the length of the area. There was further discussion about the roll back curb and the distance the Planning Commission members would like to approve. He also asked about the percentage of metal panels. Mr. McGuire stated that there would be 42% on the west elevation and 11% on the south elevation.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing and asked for discussion or a motion from the Commission members.

Chairperson Funk and several other Planning Commission members then expressed their appreciation and anticipation of the proposed development.

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Chairperson Funk asked for guidance from City Attorney Scott Isom on the amendment. Mr. Isom recommended being as specific as possible regarding the location of the extended rollback curb. He mentioned going from the initial spot where there is a "10" on the proposed drawing and extending down to another "10-014". Mr. Isom asked that the Planning Commission members mark on the drawing the area that is proposed for the curbing as the simplest method. That way City Council will be clear on the amendment. Mr. McGuire spoke to the distance of the proposed amendment. He said that it would be 133 ¼ feet (approximately) in length from the 10 to the 10 marked on the document. The rollback curb is technically called CG2.

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

Ms. Arth made a motion to recommend approval of Application PL2022-047, Preliminary Development Plan: K1 Speed, 2911 NE Independence Ave: DH4 Holdings, LLC, applicant. Ms. Rader seconded.

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

On the motion of Ms. Arth, seconded by Ms. Rader, the Planning Commission members voted unanimously by roll call vote to recommend APPROVAL of Application PL2022-047, Preliminary Development Plan: K1 Speed, 2911 NE Independence Ave: DH4 Holdings, LLC, applicant.

Mr. Touzinsky made a motion to amend the motion. The motion will remove the proposed CG1 curb that is adjacent to the proposed CG2 curb and extend the CG2 curb to the west 133 feet and 3 inches and include no parking within the initial CG2 limits for access for fire and safety. Ms. Rader seconded. The Planning Commission members voted unanimously by roll call vote to recommend APPROVAL of the amendment.

- a. **TMP-2248** An Ordinance approving a preliminary development plan for K1 Speed on land located at 2911 NE Independence Ave all in accordance with the provisions of Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

Proposed City Council Motion:

I move for a second reading of an Ordinance approving a preliminary development plan for K1 Speed on land located at 2911 NE Independence Ave all in accordance with the provisions of Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

3. [2022-4848](#) Public Hearing: Appl. #PL2022-070 - UNIFIED DEVELOPMENT ORDINANCE AMENDMENT - Proposed amendment to the design standards for new trash enclosures in the downtown core area, UDO Section 8.440.E.2.f; City of Lee's Summit, applicant

Chairperson Funk opened the hearing and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McGuire explained the reason for the amendment to the UDO. In September of 2021 an exterior renovation permit was submitted that was denied and appealed. In October the appeal was heard by the Planning Commission and in November, 2021 it went before the City Council. At that time staff was asked to prepare an amendment to the UDO that would address the issue. Mr. McGuire went on to explain the parameters of the changes to the UDO.

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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.

Hearing none, Chairperson Funk then asked if the Commission had questions for the applicant or staff.

Mr. Touzinsky asked for pictures and further explanation of the proposed changes. Mr. McGuire explained that this would open up the materials to allow for Trex. The surface would need to be solid, either side by side or shadow box. The trex material would be used in conjunction with metal. Mr. Ryan Elam had a picture to show that was an example of the trex material with steel framing.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing and asked for discussion or a motion from the Commission members.

Ms. Arth made a motion to recommend APPROVAL of Application #PL2022-070 - UNIFIED DEVELOPMENT ORDINANCE AMENDMENT - Proposed amendment to the design standards for new trash enclosures in the downtown core area, UDO Section 8.440.E.2.f; City of Lee's Summit, applicant. Ms. Rader 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 Rader, that this application be recommended for approval to the City Council - Regular Session. The motion carried unanimously.

- a. **TMP-2246** An Ordinance amending Chapter 33 of the Lee's Summit Code of Ordinances, Article 8, Division I, Subdivision 8, Section 8.440.E.2.f to update the design standards for new trash enclosures in the downtown core area of Lee's Summit; City of Lee's Summit, applicant.

Other Agenda Items

4. [2022-4846](#) Appl. #PL2022-125 - SIGN APPLICATION - Careswell Anderson Dental monument sign, 300 SE 2nd St; Fossil Forge, applicant

Mr. Dave Eames, co-owner of Fossil Forge presented the details of the sign application. He explained the reason behind the need for the sign. Careswell Anderson Dental is a second floor tenant at this property. The first floor does not have access to the second floor. Visitors that park in the lower lot and enter through the first floor have to go back outside and either drive around or walk up. The proposed sign will give direction to the dental office patients to park in the west parking lot giving better access to the front door. The proposed sign will be a small monument sign.

Clarifying questions were asked by Planning Commission members. Hector Soto and the applicant answered the questions that were presented.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he asked for discussion or a motion from the Commission members.

Ms. Arth made a motion to recommend APPROVAL of Application #PL2022-125 – SIGN APPLICATION - Careswell Anderson Dental monument sign, 300 SE 2nd St; Fossil Forge, applicant. Ms. Rader seconded.

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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 Rader, that this application be approved. The motion carried unanimously.

Roundtable

Hector Soto verified the training date of Thursday, April 21, 2022 for the Planning Commission members and briefly spoke about topics for training. He then informed the Planning Commission members of staff changes within the planning department. Jennifer Thompson is leaving her position with the city and Hector Soto is stepping down as the manager. He will fill the role as Senior Staff Planner.

Adjournment

There being no further business Chairperson Funk adjourned the meeting at 6:18 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"