

LEE'S SUMMIT PLANNING COMMISSION

Minutes of Tuesday, September 26, 2017

The Tuesday, September 26, 2017, Lee's Summit Planning Commission meeting was called to order by Chairperson Norbury at 5:00 p.m., at City Council Chambers, 220 SE Green Street, Lee's Summit, Missouri.

OPENING ROLL CALL:

Chairperson Jason Norbury	Present	Mr. Herman Watson	Absent
Mr. Donnie Funk, Vice Chair	Present	Mr. Beto Lopez	Absent
Ms. Colene Roberts	Present	Ms. Carla Dial	Present
Mr. Don Gustafson	Present	Mr. Jeffrey Semmes	Present
Ms. Dana Arth	Present		

Also present were Robert McKay, Director, Planning and Planning and Codes Administration; Hector Soto, Planning Division Manager; Shannon McGuire, Staff Planner; Dawn Bell, Project Manager; Mike Weisenborn, Project Manager; Victoria Nelson, Long Range Planner; Nancy Yendes, Chief Counsel Infrastructure and Zoning; Kent Monter, Development Engineering Manager; Michael Park, City Traffic Engineer, Jim Eden, Assistant Fire Chief I, Fire Department; and Jeanne Nixon, Development Center Secretary.

1. APPROVAL OF CONSENT AGENDA

A. Minutes of the September 12, 2017, Planning Commission meeting

On the motion of Mr. Funk, seconded by Ms. Roberts, the Planning Commission voted unanimously by voice vote to **APPROVE** the Consent Agenda, Item 1A as published.

APPROVAL OF AGENDA:

Chairperson Norbury announced that there were no changes to the agenda, and asked for a motion to approve. On the motion of Mr. Funk, seconded by Ms. Roberts, the Planning Commission voted unanimously by voice vote to **APPROVE** the agenda as published.

2. Continued Application #PL2017-153 -- REZONING from AG to PI and Application #PL2017-166 -- PRELIMINARY DEVELOPMENT PLAN -- Tailormade Landing, 1600 SE Hamblen Rd.; Nolte and Associates, applicant

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

Mr. Thomas Nolte of Nolte and Associates Architects and Planners, gave his address as 9400 Reeds Road in Overland Park, Kansas. Also present were Mr. Rick Mullin, owner of Tailormade Exteriors as well as Mr. Matt Schlicht, civil engineer. The 8.3-acre site was at 1600 Hamblen

Road. The applicant planned to develop an office and 'contractors' park, with fairly small buildings that would be owner-occupied. Over the past few months they had several meetings with staff, and the Codes and Ordinances section of staff's letter included seven recommendations under "Engineering", five more for "Planning" and three for "Fire." The applicant agreed with these items.

Mr. Matt Schlicht of Engineering Solutions gave his business address as 50 SE 30th Street in Lee's Summit. On the displayed site plan, he pointed out the existing barn at the southwest corner. This building would be renovated, with some addition to the west side and changes to the front to better identify it as a commercial building. The front would have office/warehouse use, and Mr. Mullin's office at the back. The development would include curb and gutter for all pavement and storm sewer and all necessary public improvements. The site plan also showed tracts on the north and east sides of the property that would be developed later. The applicant was requesting a modification to allow the existing access drive from Hamblen Road to be used as a drive and be pavement only. It would be built to City standard in depth and base requirements; and sidewalks, storm sewers and curb and gutter be added as development went along. They were working on a water line and sanitary sewer extension. They were not asking for any modifications to the requirements for Hamblen Road.

Following the applicants' presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-14 into the record. He confirmed that the application was for a preliminary development plan and rezoning for the property located at 1600 SE Hamblen Road, at the intersection of Kingspoint Drive . The 8.3 acres located on the west side of the road would be rezoned from AG to PI, in order to renovate and use the existing structure. Properties to the north, east and west were zoned PI and were developed industrial subdivisions; and the 2005 Comprehensive Plan identified this area as industrial. The property to the south was zoned AG and was a large acreage residential use. The subject property would remain a single lot and the applicant had submitted a conceptual plan that showed a six-lot subdivision named Tailormade Landing. Future development would be subject only to an administrative final development plan, and would not be brought to the Planning Commission.

A private driveway would access the property; and a public street would be built at the time the lots were divided. The land use plan the applicant had submitted was consistent with other uses nearby. The applicant planned to renovate the existing horse barn and provide 13,199 square feet for warehouse and office use. Materials would include stone wainscot and stucco. Existing metal panels, roof and gutters would be used whenever possible. Colors would be red, white, sandstone, clay and some grey oak. The applicant would provide 21 parking spaces, two of which would be ADA compliant.

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then asked if the Commission had questions for the applicant or staff.

Ms. Roberts asked if instead of ending at the cul-de-sac, the street could continue to the west and intersect the street that was on the map. Mr. Park explained that this was a private drive, shared by several owners. There were no public streets immediately to the west of the property. Beyond that were railroad tracks, so a connection would require a bridge. Ms. Roberts remarked that she had a general concern about the lack of connection, which could

make future development difficult. Mr. Park acknowledged that if redevelopment occurred the City would want to see more of a road network constructed. Much of the nearby property was the School District's transportation facility and maintenance offices. A KCP&L facility was a short distance to the west.

Chairperson Norbury asked if it was correct that approval of the preliminary development plan would include future improvements being built into the plan pursuant to future administrative approval of developments. Mr. Park answered that this was basically correct. As the owners began implementing the conceptual plan they and the City would have to address issues such as the unimproved road policy, other standards requiring improvements, and public road dedication. That might make it necessary to go through the public hearing process to be granted waivers and modifications. It had been a mutual understanding that this would be part of the process.

Ms. Roberts asked if that would be triggered by the next lot being developed, and Mr. Park answered that it would require subdivision of the property. At present, this property would only use one lot with the renovated existing building; and the trip generation and traffic would be minimal. Ms. Roberts then asked if the pond shown on the drawing would remain, and Mr. Schlicht answered that it would not. Their water detention facility would be on the northeast corner. The existing pond had been neglected and was mostly filled in.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:20 p.m. and asked for discussion among the Commission members, or a motion.

Mr. Funk made a motion to recommend approval of Application #PL2017-153, Rezoning from AG to PI and Application PL2017-166, Preliminary Development Plan: Tailormade Landing, 1600 SE Hamblen Rd.; Nolte and Associates, applicant; subject to staff's letter of September 22, 2017. Mr. Gustafson seconded.

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

On the motion of Mr. Funk, seconded by Mr. Gustafson, the Planning Commission members voted unanimously by voice vote to recommend **APPROVAL** of Application #PL2017-153, Rezoning from AG to PI and Application PL2017-166, Preliminary Development Plan: Tailormade Landing, 1600 SE Hamblen Rd.; Nolte and Associates, applicant; subject to staff's letter dated September 22, 2017.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

<p>3. Application #PL2017-164 -- PRELIMINARY DEVELOPMENT PLAN -- 740 NW Blue Parkway Restaurant Sites, 740 NW Blue Parkway; Drake Development, LLC, applicant</p>

Chairperson Norbury opened the hearing at 5:21 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Bob Johnson of Polsinelli P.C., gave his address as 900 W. 48th Place in Kansas City MO. Drake Development was his client, represented here by Mr. Ian Nuseman. Project engineer and architect, Mr. Matt Kist of Shafer, Kline and Warren and Ms. Marisa Coleman of Greenberg Ferrell were also present and could answer questions.

Mr. Johnson displayed an aerial map and pointed out the project location, on Blue Parkway just north of NW Chipman Road. An old bank building, approved in 1978, was currently on the 3.47 acre site, empty except for one commercial tenant; and they intended to replace it with two restaurant pad sites. The subject property, as well as adjacent properties in all four directions, was zoned CP-2/Planned Community Commercial District. The two lots would be replatted and tied to the final development plan. Lot 1 was 7,420 square feet and Lot 2 was 8,500 square feet. Tonight's PDP was related to Lot 1 as well as its surroundings. The applicants would bring in a preliminary development plan when they had a build-to-suit user for Lot 2.

Preliminary elevations of the proposed Texas Roadhouse restaurant, commenting that the elevations and the rendering of the building were the restaurant's standard architecture and brand identity that could be seen in Liberty, Blue Springs, Belton and Olathe and nationwide. It would fit in with the neighborhood's commercial nature. The applicants agreed with staff's three Recommendation Items and other stipulations in staff's report.

Following Mr. Johnson's presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-14 into the record. He confirmed that the preliminary development plan was for a property with two pad site lots, and was zoned CP-2. Redevelopment would include the demolition of the Midland Bank building and the construction of a 7,400 square foot building for a Texas Roadhouse restaurant plus a future 8,500 square foot restaurant or store. Materials used for the Roadhouse were stone, wainscot, brick veneer, cedar siding and accent lighting. Any development on the second pad site (Lot 2) would require a preliminary development plan.

The applicants were requesting three modifications, addressed in staff's Recommendation Items: to the required 20-foot parking lot setback, the maximum impervious coverage and the use of cedar siding as an accent material. Staff supported these modifications. The parking lot was next to a MoDOT right-of-way that had considerable green space that had the appearance of a buffer. It was an adequate distance from the US 50 ramp, and the existing parking lot setback at this site was 3 feet. The allowed 6-foot setback would actually increase the existing setback. Currently the impervious coverage was 76.8%, with the ordinance allowing a maximum of 80%. The request to increase the coverage to 85% was due to the parking spaces being added. A downstream detention basin could gather additional runoff water from the pad sites. Regarding the cedar accent material, Texas Roadhouse had a corporate maintenance program that could address staff's concerns about the material. The property would be revisited every 2 to 3 years, at which time the cedar would be power washed, caulked where needed and re-stained. The applicants felt that their strong brand identity was tied to the overall features of the building; and that brand identity was tied to the business' long term economic viability.

Staff considered the proposed use and preliminary development plan were consistent with the comprehensive plan and an appropriate land use for the district. They recommended approval subject to the modification to the 20-foot parking lot setback (Recommendation Item 1), a

modification to the maximum impervious coverage to allow 85% (Item 2) and a modification to allow the use of cedar siding as an accent material (Item 3).

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then asked if the Commission had questions for the applicant or staff.

Mr. Gustafson asked if the street accessing the property from the east was a private street, and Mr. McGuire replied that it was. Mr. Gustafson observed that this intersection was sometimes confusing, and asked if a traffic study was done. Mr. Park answered that it was not. Staff considered this a redevelopment of the existing bank facility. The square footage of the existing bank would generate more traffic than the two pad sites, according to typical uses of banks and restaurants. It was not likely to change trip generation for that site. Mr. Gustafson asked if staff had looked at the traffic circulation at the intersection where the division of east and west lanes ended at the site; and Mr. Park replied that they had not. The intersection was on private property and staff did not usually do studies on these. The drives accessing Blue Parkway and Chipman Road were private.

Ms. Roberts asked why so many additional parking spaces were needed, noting that the UDO required 220 spaces and the plan added 54. Mr. Johnson replied that it was due to market demand as required by the tenant's projections. Ms. Roberts asked if the numbers were based on those of their restaurants in other locations. Ms. Marisa Coleman explained that Texas Roadhouse had their own internal minimum of 160 spaces at any location. At some older locations where they had installed fewer spaces, they were looking to use adjacent land for parking expansion. Noting that the 160 would be for Texas Roadhouse and the rest would be used at the other pad site, Ms. Roberts asked if it was certain that Lot 2 would be a restaurant and not something else. Mr. Johnson emphasized that they did intend to bring in another restaurant. Ms. Roberts stated that she was not comfortable with adding that much parking if the property overall might not need it, especially with the prospect of 85% impervious coverage. Mr. Johnson answered that the impervious coverage was only slightly above the maximum and downstream detention would handle the increased runoff.

Mr. Funk asked Ms. Coleman for some details about the maintenance program for the wood siding. She replied that they would do a re-stain about every two or three years. They'd answered questions about this in the past by other municipalities, as many of them now required 100% masonry buildings. The cedar was usually replaced after 20 years; and they had not had any issues with the maintenance. Mr. Gustafson asked if they would consider doing the program sooner if requested, and Ms. Coleman replied that they would.

Ms. Arth asked if the other restaurant was expected to look similar to Texas Roadhouse. Mr. Johnson replied that it would most likely have a national brand identity, as did Texas Roadhouse. The Commission would later see an application for the second restaurant and they would have the opportunity to make a recommendation as to whether the two buildings were compatible in style. It would be a 'sit-down' restaurant, as was Texas Roadhouse.

Chairperson Norbury was not sure if the Commission had seen a request for impervious coverage over 80% for a property that did not already have high impervious coverage. An example was the modification for the Summit shopping center, whose impervious coverage was already about 97%. It was subsequently reduced to about 93%. In this case, however,

impervious coverage of 76% was being increased to 85%; and he did not agree that having detention facilities for runoff was a justification for going well outside the UDO. While he had been on the Commission, it had been consistent about requiring that each property owner and users manage their own stormwater. This was the first application he had seen that planned to increase the amount of stormwater sent downstream.

Mr. McKay related that when the Valle Vista shopping center was redone, this had included adding pad sites with an IHOP restaurant and a frozen custard stand. This had involved a lot of impervious area so it had been done before. It had been manageable in locations where the stormwater could be kept well under control and this did not happen very often but it had been and could be done.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:40 p.m. and asked for discussion among the Commission members.

Ms. Roberts said she could not vote to recommend approval for 85% impervious coverage and so much additional parking. Chairperson Norbury agreed, and suggested removing Recommendation Item 2 from the recommendation. Other than the Valle Vista project he could not recall the Commission making that kind of a recommendation like that, and was not comfortable with setting it as a standard. This site in particular was only about three and a half acres and this amounted to adding one-third acre of impervious coverage. He would be willing to recommend approval if this item was removed.

Mr. Gustafson stated that he had a question for staff, and Chairperson Norbury re-opened the meeting at 5:42 p.m. Mr. Gustafson asked for some details about drainage issues on the site and how they would be mitigated. Mr. Matt Kist, civil engineer with Shafer, Kline and Warren, stated that a regional water detention facility existed northeast of this site, with about 100 acres draining into it. This was a relatively small increase in output so they were not asked to provide a comprehensive drainage study. He added that moved the curb line back about six feet to increase the landscaping area. Mr. Gustafson suggested that the applicant should submit engineering studies showing low impact if they wanted to increase the coverage above 80%.

Hearing no further discussion, Chairperson Norbury closed the public hearing at 5:45 p.m. And called for a motion.

Mr. Funk made a motion to recommend approval of Application PL2017-164, Preliminary Development Plan: 740 NW Blue Parkway Restaurant Sites, 740 NW Blue Parkway; Drake Development, LLC, applicant; subject to staff's letter of September 22, 2017, specifically Recommendation Items 1 and 3, deleting Recommendation Item 2. Ms. Roberts seconded.

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

On the motion of Mr. Funk seconded by Ms. Roberts, the Planning Commission members voted unanimously by voice vote to recommend **APPROVAL** of Application PL2017-164, Preliminary Development Plan: 740 NW Blue Parkway Restaurant Sites, 740 NW Blue Parkway; Drake Development, LLC, applicant; subject to staff's letter of September 22, 2017, Recommendation Items 1 and 3, deleting Recommendation Item 2.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

4. Application #PL2017-167 -- PRELIMINARY DEVELOPMENT PLAN -- Village at View High, 2nd Plat; Engineering Solutions, LLC, applicant

Chairperson Norbury opened the hearing at 5:46 p.m. and stated that staff had requested that Application PL2017-167 be continued to a date certain of October 10, 2017. He asked for a motion to continue.

Mr. Funk made a motion to continue Application PL2017-167, Preliminary Development Plan: Village at View High, 2nd Plat; Engineering Solutions, LLC, applicant; to a date certain of October 10, 2017. Ms. Arth seconded.

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

On the motion of Mr. Funk, seconded by Ms. Arth, the Planning Commission members voted unanimously by voice vote to recommend **CONTINUE** Application PL2017-167, Preliminary Development Plan: Village at View High, 2nd Plat; Engineering Solutions, LLC, applicant; to a date certain of October 10, 2017.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

5. Application #PL2017-176 -- CONCEPTUAL DEVELOPMENT PLAN -- West Pryor Village, generally located at the northwest corner of NW Chipman Rd. and NW Pryor Rd.; City of Lee's Summit, applicant.

Chairperson Norbury opened the hearing at 5:48 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. McKay entered Exhibit (A), list of exhibits 1-12 into the record. He remarked that most of the Commissioners had seen portions of this project in the past. He displayed the location map and noted that the west of Pryor Road, north of Chipman and south of I-470. It was slightly west of Summit Woods and Summit Fair shopping centers. Lowenstein Park was to the south and some single-family residential to the southwest. Another view showed access points, with arrows identifying traffic signals. The middle intersection on Pryor Road was a right-in-right-out access point; and the points on Lowenstein and Black Twig accessed the site.

The concept was to make this area a destination point that would attract people and have enough interest to encourage them to stay ("sticky"). The City wanted mixed uses, with residents able to work and shop there as well; and they wanted it to be bicycle and pedestrian friendly as well as accessible transit service, with reduced surface and on-street parking. Open and public spaces encouraged socializing and outdoor activities, and buildings would be human scale and brought close to the street. Housing would have a variety of styles, sizes and price ranges.

One of the site's issues was a significant elevation change from one end to the other, illustrated by the next slide. Low points were at both the northwest and to the south near Lowenstein, with the high point a little to the north of center. Another characteristic to be mitigated was the electrical transmission line that ran along Pryor Road and diagonally through the middle of the property. This limited the amount of usable land. Further, the large undermined area north of I-470 extended to the south side; and part of it encroached on the subject property at the northwest corner. The City's plan would relocate them along the off ramp from I-470 to, and then along, Pryor Road.

Mr. McKay then displayed a drawing of the original concept. The City Council had originally issued an RFP for developing some City property. It yielded two proposals, one of which included a plan, which would be developed after purchasing the land from the City. The Council did not accept either proposal, one of which was a "big box" type of development; and subsequently directed staff to bring back a master plan for the area. One of the desired elements was vertical mixed use; which was often difficult but could work well in some areas.

Mr. McKay pointed out the hotel shown at the entrance on the original concept plan. What made this plan less than desirable was the inclusion of five parking garages in addition to the one adjacent to the hotel. Some were small structures associated with specific businesses but were nevertheless excessive. Mr. McKay then displayed a second concept plan, done by a developer. He pointed out senior housing located behind a subdivision adjacent to the property, as well as an apartment complex, grocery store and two restaurants. These were not on the City property, as the tract included land owned by Erickson, Cristie and RED Development. Many of the objections were based on traffic concerns and the location of the senior housing. In March of 2017, after a hearing before the Commission and the Council, the Council had rezoned this area as Planned Mixed Use, leaving some adjacent property in AG zoning.

The third conceptual plan was considerably changed. Mr. McKay pointed out the new location of the apartment complex with a parking garage to one side. This addition did reduce the walkability; and the plan basically had the different uses spread out, with parking in between. The design was not pedestrian-friendly. The hotel and its parking were in the same location, but with multi-story retail uses nearby. The feedback from an open house indicated that what was needed was vertical mixed use that provided walkability and incorporated the hotel and retail uses. Mr. McKay then displayed a rendering of the conceptual plan of August 2017, pointing out the reworked apartment complex. It was in the northwest corner and had an adjacent internal parking garage for the apartment complex only. The hotel still had a parking garage but a restaurant was now added to the top floor.

Staff had created another area near the hotel could be all office, an office-retail combination or a conference and meeting venue. Additional parking was behind it. At the front and center was a multi-story complex for vertical mixed use. Some of the retail use was moved slightly west, and realigned the road so that it would service both parts. Mr. McKay pointed out the traffic signal, right-in-right-out access and full access point. A major grocery store and two restaurants would be at the west end. Moving so much of the development forward had created a more walkable thoroughfare behind them. Recreational areas were on the other side near the hotel, which would have a second restaurant at its corner.

Additional traffic generated by the apartments was one of the concerns in the adjacent neighborhood. The design had located the access to the parking garage within the development; and people wanting to get to I-470 could follow the road within the development and be able to turn on Chipman. The roadway ending in the right-in-right-out access was moved to the RED Development property line. This would accommodate the property owners and developers.

Staff had presented this plan to the City Council at their August 17th work session, and they had liked the concept. It was now being brought to the Planning Commission for a public hearing. Mr. McKay displayed a slide with square footage of the proposed buildings, noting that there could be future opportunities for mixed uses such as residences on the top floors of some of the smaller buildings. He pointed out the site for the overflow parking, stating that this would not be developed unless needed. This might depend on what kind of other development went in, as some uses might provide sufficient parking on site. Mr. McKay concluded with conceptual renderings showing views of the outdoor spaces. Including the back of the hotel looking into the site, the apartment complex and the nearby grocery store and other retail.

Following Mr. McKay's, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition.

Mr. Mike Hofstead stated that he was the Homeowners Association president for the Summerfield neighborhood. He asked if there would be an access on Black Twig. Mr. McKay replied that at present the plan was that Black Twig would still be in the loop. Staff and the traffic engineer had considered a traffic signal but this would primarily be the access for the park. Some traffic would use Black Twig and that street would be part of the traffic scenario. Developers would be required to do a traffic study at the time they presented a preliminary development plan; and that would determine how much improvement would be needed and where.

Mr. McKay confirmed for Mr. Hofstead that Black Twig would not be part of the new development. The access near it on the map was primarily for fire emergency access. Staff would look at it in more detail when actual plans for development were brought in; and the Fire Department would have to determine if they needed this access or if the internal roadways were sufficient. It appeared so far that people leaving from the apartments were more likely to use the signaled accesses than Black Twig. Mr. Hofstead remarked that people in the neighborhood often took Chipman Road to View High to detour around traffic; so he was certain there would be some traffic. He stated to the Commission that the City Council had previously decided to use just 40 acres and it actually had taken a few acres above that to the west. Mr. McKay outlined this part on the displayed map, estimating that it was about 4 acres and zoned R-1. It had not been included in the previous 39-acre rezoning to PMIX; so a developer would have to include a rezoning for that land as part of the application. As tonight's presentation was a conceptual plan these additional acres had not been included.

Mr. Hofstead suggested that one of the two parking lots at the northwest side be moved to the other side of the apartments and moving the apartments in, away from Summerfield and the park. He noted that the development would mean more people using the park and did not see any additional parking planned. He added that 250 apartments in four stories was a major concentration of people and would definitely create more traffic. He was aware that Lee's Summit needed more apartment product; but was not sure that these needed to be built all at

once. He then asked about the pond that had been planned at View High and Chipman. Mr. McKay replied that the original plan had shown a pond behind the restaurants; but whether that would be included would not be clear until more specific plans were brought in.

Mr. Hofstead stated that he had talked with City Councilmember Craig Faith, and he had suggested a fountain rather than a pond, as this was a one of the higher elevations on the property and a pond would typically be built at a low point. He continued that he had estimated a total of about 333 apartment units for this development and this was a high number of people for a small area.

Ms. Darlene Byard stated that she lived in Bent Tree Bluffs to the west of Summerfield. This subdivision had 323 homes, and a lot of the residents walked in Lowenstein Park regularly. The plan showed a back exit near the park, though she was not sure if a traffic signal would be on Lowenstein; and her concern was traffic in and out of the park at that point. Mr. McKay responded that no traffic signal was planned for Lowenstein as there would not be enough increase in traffic. Ms. Byard pointed out that plenty of people from the apartments would be using the park, and she did have concerns about traffic. Mr. McKay answered that while the park would get more use, there was no reason to expect that people from the apartments would be going there at the same time. Nevertheless, Ms. Byard stated that the fields were used for soccer practice regularly and they parked along Black Twig and Lowenstein. The residents, like many drivers in Lee's Summit, often took detours through these streets rather than wait at a red light at a signaled intersection. Mr. McKay answered that the required traffic study would address that. He emphasized that this was a conceptual plan; the preliminary development plans would be required to include more detailed information. Additional parking at Lowenstein Park would have to be coordinated with the developer and the Parks Department.

Ms. Carrie Nieler gave her address as 2420 SW Lolee Drive. She stated that she had moved out of the subdivision because of this property. She observed that Summerfield had not had much of a turnover in residents. However, six houses had sold in the last year; and she knew of three whose owners had moved because of this pending development. Concerning the retail development, everyone had noticed over the past few years that a number of big box stores were closing. Communities across the United States were becoming overbuilt with stores and were now seeing inescapable signs of previous retail patterns declining, especially with increasing monopolies and e-commerce. She did not feel that this was necessary, especially considering other development that was going on; and consumers increasingly had reason to not leave their homes.

During the open house held on May 30th Mr. McKay had touched on the multi-family apartments that some of the neighbors had concerns about. They had also voiced concerns about drainage issues, park improvement and property ownership. Concerning the latter, she did not see how this development would come together if Mr. Christie was not the sole owner. It was split up among Christie, Erickson, RED Development and the City. The property needed one developer; and she was not sure why the Commission was even looking at this plan. In general the viability of brick and mortar businesses and big box stores in particular had not been addressed at the meeting; although the residents had expressed a preference for smaller specialty shops and office uses. In short, she did not believe this kind of development was needed.

Chairperson Norbury then asked if the Commission had questions.

Chairperson Norbury asked Mr. McKay about the issue of multiple ownership, and if the plan was premature in terms of owner commitments. Mr. McKay displayed and pointed out the boundaries of the various owners' properties, with the City's portion at the Chipman/View High corner. The access points reflected the three owners' portions and the multiple ownership was among the reasons for the Council wanting to see a conceptual plan. Whether this piece developed or not, the concepts presented reflected what the City wanted to see happen in this area. This plan provided connections between all the owners; and the owners were all aware that some grading would have to be done. The plan did not provide all the answers but was a workable method to illustrate long-term goals. Lee's Summit did not as yet have a mixed use development of this kind, with living, shopping, restaurants and hotel being integrated in a space where it was easy to walk from one use to another. The plan could be considered a kind of blueprint for a planned mixed use product; but he did not see these individual pieces being developed separately.

Mr. Gustafson asked whether the property owners had given any feedback. Mr. McKay answered that he had not heard much response from Erickson or RED, although Christie might be open to this approach.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 6:35 p.m. and asked for discussion among the Commission members.

Mr. Funk summarized that at present, the plan had basically added an apartment complex, a grocery store and two more restaurants. He agreed that the City was a little premature until the other property owners were more involved. Ms. Roberts noted that a number of changes had been made but there was still a lot of surface parking. She also did not see a need for any big box stores when there were already 6 so many close by. If the development was uneven due to the multiple ownership, the tract would inevitably end up with a portion that was not developed; with the City ending up settling for the first plan that looked viable.

Chairperson Norbury noted that this and future development plans would all go through the Commission and the City Council; and the City had improved in recent years in holding developers to standards. The recent vote on impervious coverage for the restaurant development was a good example. While e-commerce was changing retailing, that and whether or how the City wanted to see this land developed were two different issues. This land was in an area where it was sure to be developed and what was the best set of uses was central. Much of it would be determined by the market, especially the housing. Many people in single-family developments did not like to have apartments nearby but this specific property was on a major city artery and a major center of development.

The Commission had been very clear about wanting residents near future retail development; and specifically specialty shops and vertical mixed use. He still wanted to see much more of both than what this plan showed; but the reality was that the only part of Lee's Summit with this kind of development was the part built 120 years ago. For all the discussion about mixed use, no one had yet proposed a development emphasizing retail or office on lower floors and residential/office on upper floors and he would like to see more of this kind of mixed use. However, while this conceptual plan was not perfect but as a conceptual plan it was also not

what the Commission would see when development plans were submitted and even those were still a good distance out. He intended to recommend approval of this application as a complex.

Mr. Gustafson agreed that it was important to have a concept plan for a larger site like this rather than various owners developing it piecemeal. A conceptual plan would give potential developers an idea of what the City wanted to see.

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

Mr. Funk made a motion to recommend approval of Application PL2017-176, Conceptual Development Plan: West Pryor Village, generally located at the northwest corner of NW Chipman Rd. and NW Pryor Rd.; City of Lee's Summit, applicant. Mr. Gustafson seconded.

Chairperson Norbury thanked the citizens who had given testimony for their participation and input. He asked if there was any discussion of the motion. Hearing none, he called for a vote.

On the motion of Mr. Funk, seconded by Mr. Gustafson, the Planning Commission members voted unanimously by voice vote to recommend **APPROVAL** of Application PL2017-176, Conceptual Development Plan: West Pryor Village, generally located at the northwest corner of NW Chipman Rd. and NW Pryor Rd.; City of Lee's Summit, applicant.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

OTHER AGENDA ITEMS

Adoption of the Bylaws Governing the Procedure of the Planning Commission of the City of Lee's Summit, Missouri; as Amended through September 26, 2017.

Mr. Soto stated that the exact language had been presented at the last meeting. Most of the changes had been to formatting. As there was no discussion, Chairperson Norbury called for a motion.

Ms. Arth made a motion to adopt the bylaws governing the procedure of the Planning Commission of the City of Lee's Summit, Missouri; as amended through September 26, 2017. Ms. Roberts seconded.

Chairperson Norbury 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. Roberts, The Planning Commission members voted unanimously by voice vote to **ADOPT** the bylaws governing the procedure of the Planning Commission of the City of Lee's Summit, Missouri; as amended through September 26, 2017.

PUBLIC COMMENTS

There were no public comments at the meeting.

ROUNDTABLE

Concerning the impervious coverage and water runoff issue, Mr. Monter related that he had spoken with the applicant and had been satisfied that the impact would be minimal. Staff would have submitted a report if they were aware it would be a concern. He did appreciate the Commission's concerns especially considering the additional parking spaces.

ADJOURNMENT

There being no further business, Chairperson Norbury adjourned the meeting at 6:40 p.m.

PC 092617