



## The City of Lee's Summit

### Final Agenda

### City Council - Regular Session

Tuesday, June 6, 2023

6:00 PM

City Council Chambers  
and Via Video Conference

220 SE Green Street

Lee's Summit, MO 64063

**REGULAR SESSION NO. 40**

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Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, June 6, 2023 at 6:00 pm in person 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 Monday, June 5, 2023, to the City Clerk at [clerk@cityofls.net](mailto: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. The meeting may be viewed on the City's website at [WatchLS.net](http://WatchLS.net), and on various cable providers (Spectrum Channel 2, AT&T U-Verse Channel 99 and Comcast Channel 7).

#### **Preliminaries:**

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order
- D. Roll Call

#### **1. Approval of Agenda**

#### **2. Approval of Consent Agenda:**

*Items on the Consent Agenda are routine business matters or proposed ordinances approved unanimously by the Council on First Reading. Consent agenda items may be removed by any Councilmember for discussion as part of the regular agenda.*

- A. [2023-5583](#) Approval of City Council Action Letter from May 16, 2023.
- B. [2023-5685](#) Mayor's Appointments to the Cultural Commission (Simple majority):
- C. [2023-5697](#) Mayor's Appointments to the Cultural Commission (two-thirds vote required):  
Hunter Gale for a one-year term to expire 6-6-24  
Bruce McClian for a two-year term to expire 6-6-25

- D. [BILL NO. 23-104](#) An Ordinance approving the Real Estate Sale Agreement between Southwestern Bell Telephone Company and the City of Lee's Summit, Missouri, for acquisition of property for the Downtown Market Plaza Project.

(Note: First read by Council on May 16, 2023. Passed by unanimous vote.)

**Presenter:** David Bushek, Chief Counsel of Economic Development and Planning  
Ryan Elam, Assistant City Manager

### 3. Council Roundtable

*Council Roundtable is reserved for items of general interest, community announcements and other such information. Council may ask for clarification or give direction about agenda items or discuss items of an emerging nature.*

### 4. Public Hearings:

*Proposed ordinances considered after a public hearing will be read for the first time and forwarded to a future City Council meeting for second reading, unless deemed to be an emergency as defined in Sec. 3.13(f) of the Lee's Summit Charter. Five affirmative votes are required for approval of second reading.*

- A. [2023-5526](#) Public Hearing: Application #PL2022-314 - Preliminary Development Plan - Arborwalk West, 3640 SW Arboridge Road; Christie Development Associates, LLC, applicant.

**Presenter:** Garrett Fugate, Applicant's Representative  
Shannon McGuire, Planner

- 1) [BILL NO. 23-105](#) An Ordinance approving a Preliminary Development Plan on land located at 3640 SW Arboridge Road in District PMIX, all in accordance with the provisions of Unified Development Ordinance, Chapter 33, of the Code of Ordinances for the City of Lee's Summit, Missouri.

**Presenter:** Garrett Fugate, Applicant's Representative  
Shannon McGuire, Planner

- B. [2023-5615](#) Public Hearing: Application #PL2023-056 - Rezoning from CP-2 and CS to PMIX and Preliminary Development Plan - Colbern Road Investments - Conceptual Site Plan, 900 NE Colbern Road; Engineering Solutions, LLC, applicant.

**Presenter:** Matt Schlicht P.E., Applicant's Representative  
C. Shannon McGuire, Planner

- C. [2023-5617](#) Public Hearing: Application #PL2023-057 - Preliminary Development Plan - Senior Living Facility, 900 NE Colbern Road; Engineering Solutions, LLC, applicant.

**Presenter:** Matt Schlicht, Applicant's Representative  
Shannon McGuire, Planner

- D. [2023-5665](#) Public Hearing: Colbern Ridge LCRA Redevelopment Plan; Colbern-Rice Investments, LLC, applicant

**Presenter:** Curt Petersen, Polsinelli Law Firm  
Mike Atcheson, CEAH Real Estate Services (parent company) and Colbern-Rice Investments, LLC (proposed developer)  
David Bushek, Chief Counsel of Economic Development and Planning  
Ryan Elam, Assistant City Manager

- E. [2023-5678](#) Public Hearing: Colbern Ridge Community Improvement District; Colbern-Rice Investments, LLC, applicant
- Presenter:** Curt Petersen, Polsinelli Law Firm  
Mike Atcheson, CEAH Real Estate Services (parent company) and Colbern-Rice Investments, LLC (proposed developer)  
David Bushek, Chief Counsel of Economic Development and Planning  
Ryan Elam, Assistant City Manager
- 1) [BILL NO. 23-106](#) An Ordinance approving rezoning from District CP-2 (Planned Community Commercial District) and CS (Planned Commercial Services District) to District PMIX (Planned Mixed Use District) and Conceptual Preliminary Development Plan for land located at 900 NE Colbern Road, 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.
- Presenter:** Matt Schlicht, Applicant's Representative  
Shannon McGuire, Planner
- 2) [BILL NO. 23-107](#) An Ordinance approving a Preliminary Development Plan for Colbern Road Investments - Senior Living Facility on land located at 900 NE Colbern Road, 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.
- Presenter:** Matt Schlicht, Location of Property  
Shannon McGuire, Planner
- 3) [BILL NO. 23-108](#) An Ordinance Approving the Colbern Ridge Land Clearance for Redevelopment Authority (LCRA) Redevelopment Plan
- Presenter:** Curt Petersen, Polsinelli Law Firm  
Mike Atcheson, CEAH Real Estate Services (parent company) and Colbern-Rice Investments, LLC (proposed developer)  
David Bushek, Chief Counsel of Economic Development and Planning  
Ryan Elam, Assistant City Manager
- 4) [BILL NO. 23-109](#) An Ordinance Approving the Petition for Formation of the Colbern Ridge Community Improvement District
- Presenter:** Curt Petersen, Polsinelli Law Firm  
Mike Atcheson, CEAH Real Estate Services (parent company) and Colbern-Rice Investments, LLC (proposed developer)  
David Bushek, Chief Counsel of Economic Development and Planning  
Ryan Elam, Assistant City Manager

## 5. Public Comments:

*Anyone wishing to address the Mayor and Council during Public Comments will be limited to 3 minutes. Each speaker must fill out a Public Comment Card. The Public Comment Cards are located at the entrance of Council Chambers. After completion, the card is to be given to the City Clerk. Please be concise with comments and respect the 3 minute time limit.*

## 6. Resolutions:

- A. [RES. NO. 23-14](#) A Resolution adopting the FY2024 - FY2028 Capital Improvement Plan
- Presenter:** Michael Park, PE, Director of Public Works

- B. [RES. NO. 23-15](#) A Resolution authorizing the Mayor to appoint successor directors to the Chapel Ridge Community Improvement District.  
**Presenter:** Mark Dunning, City Manager
- C. [RES. NO. 23-16](#) A Resolution authorizing the Mayor to appoint successor Directors to the Ritter Plaza Community Improvement District.  
**Presenter:** Mark Dunning, City Manager

## 7. Proposed Ordinances - First Reading:

*The proposed ordinances presented for first reading may include items with a previous hearing; an item brought directly to the City Council without a recommendation from a Council Committee; or, items forwarded from citizen Boards or Commissions. Five affirmative votes are required for approval of second reading.*

- A. [BILL NO. 23-110](#) An Ordinance vacating certain easements located at 1901 SW River Run Road in the City of Lee's Summit, Missouri.  
**Presenter:** Rick Frye, Applicant's Representative  
Hector Soto, Jr, AICP, Senior Planner
- B. [BILL NO. 23-111](#) An Ordinance vacating certain easements located at 800 NW Ward Road in the City of Lee's Summit, Missouri.  
**Presenter:** Brian Benjamin, Applicant's Representative  
Hector Soto, Jr, AICP, Senior Planner
- C. [BILL NO. 23-112](#) An Ordinance accepting Final Plat entitled, "Lumberman's Row, Lots 1-18 and Tracts A thru C", as a subdivision to the City of Lee's Summit, Missouri.  
**Presenter:** Russell G. Pearson, Applicant's Representative  
Hector Soto, Jr, AICP, Senior Planner
- D. [BILL NO. 23-113](#) An Ordinance accepting Final Plat entitled, "The Falls at Winterset, 1st Plat, Lots 1500-1519 and Tracts A & B", as a subdivision to the City of Lee's Summit, Missouri.  
**Presenter:** Matt Schlicht, P.E., Applicant Representative  
Hector Soto, Jr, AICP, Senior Planner
- E. [BILL NO. 23-114](#) An Ordinance accepting Final Plat entitled, "Town Centre Logistics, Lot 1 & Tract A", as a subdivision to the City of Lee's Summit, Missouri.  
**Presenter:** Matt Schlicht, P.E., Applicant Representative  
Hector Soto, Jr, AICP, Senior Planner
- F. [BILL NO. 23-115](#) An Ordinance determining and declaring the necessity of acquiring for public use certain right of way, permanent easements and temporary construction easements for road, water, storm water and additional pedestrian amenities associated with the proposed 3rd Street Improvements from Blue Parkway to Jefferson Street Project; authorizing the City Manager and his designee(s) to negotiate for the purpose of acquiring the necessary interests in land; and authorizing the City Attorney and his designee(s) to institute condemnation proceedings if such interests in land cannot be acquired by purchase through good faith negotiations.  
**Presenter:** Curt Powelson, Senior Right of Way Agent

**8. Committee Reports**

*Committee chairs report on matters held in Committee.*

**9. Council Comments:**

*(NOTE: Total time for Council Comments will be limited to 5 minutes.)*

**10. Staff Roundtable**

*Staff Roundtable is reserved for items of general interest, community announcements and other such information; however, staff may ask for clarification or direction from the council related to items on the agenda or for items of an emergency nature for which insufficient time exists for adding to the agenda.*

**11. Adjournment**

Unless determined otherwise by the Mayor and City Council, no new agenda items shall be considered after 11:00 p.m.

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Legislative Information Center website at "[lsmo.legistar.com](https://lsmo.legistar.com)"