



The City of Lee's Summit
Action Letter
City Council - Regular Session

Tuesday, November 7, 2023

6:00 PM

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

REGULAR SESSION NO. 54

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, November 7, 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, November 6, 2023, 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. The meeting may be viewed on the City's website at 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

Mayor Baird called Regular Session No. 54 to order at 6:06 pm.

- D. Roll Call

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that this be adopted.[EN_NR] The motion carried by the following vote:

Present: 9 - Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Andrew Felker
Councilmember Faith Hodges
Councilmember Beto Lopez
Councilmember John Lovell
Councilmember Mia Prier
Councilmember Hillary Shields

1. Approval of Agenda

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approve the agenda as published. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, to approve the Consent Agenda, Items 2.A. - 2.B. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

A. [2023-5867](#) Approval of City Council Action Letter for October 24, 2023

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, to approve the City Council Action Letter from October 24, 2023 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

B. [BILL NO. 23-196](#) An Ordinance vacating dedicated right-of-way for a north-south alley segment located east of NE Douglas Street and south of NE Elm Street (adjacent to 105 NE Elm Street), in the City of Lee's Summit, Missouri. (Note: First read by Council on October 24, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-196 be adopted and numbered Ord. No. 9777 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

3. Council Roundtable

Councilmember Shields stated downtown Lee's Summit will be busy this Saturday, November 11, 2023 with the Veteran's Day Parade and Chilifest.

4. Public Hearings:

- A. [2023-5907](#) Public Hearing: Application #PL2023-120 - Rezoning from PO to RP-4 and Preliminary Development Plan - Clover Communities Lee's Summit, 830, 840 & 900 NE Douglas Street; Clover Communities Lee's Summit, LLC, applicant.

Mr. Shannon McGuire, Senior Planner, entered Exhibit A: 1 - 22 into the record.

Council discussion included:

- Location verification
- Sled Hill
- Potential Fire Station - Future Plans
 - Call Volume generated
- Stories before special approval is needed
- Consistent with other like projects
- Parking
- Street Use during peak use times
- Traffic Issues / Traffic Lights / Turn Lanes
- Opposition at Planning Commission
- How 55+ is enforced / managed
- Entrance / Exits
- Minimum standard use
- Mixed Residential
- Setbacks
- Capacity of all current 55+ facilities at this time
- Landscaping
- Driveway

No one was present to speak in support of or in opposition to this application.

- 1) [BILL NO. 23-204](#) An Ordinance approving rezoning from District PO (Planned Office District) to RP-4 (Planned Apartment Residential District) and a Preliminary Development Plan for Clover Communities Lee's Summit, on approximately 7.04 acres of land located at 830, 840 & 900 NE Douglas Street, all in accordance with the provisions of Chapter 33, Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

(Note: First read by Council on November 7, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 23-204 be advanced to second reading. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- B.** [2023-5863](#) Public Hearing: Chapter 100 Plan for the Clover Independent Senior Living Project; Clover Communities Lee's Summit LLC, applicant

This item follows the previous Public Hearing at this same meeting and that testimony shall be included as part of this Public Hearing.

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1 - 5 into the record.

Council discussion included:

- Fixed PILOT period
- Market Conditions
- Enforce age restriction
- County Values
- Future of apartment / age restrictions
- Right starting number / right future inflation
- Consistency

No one was present to speak in support of or in opposition to this application.

- 1)** [BILL NO. 23-205](#) An Ordinance approving a plan for a Chapter 100 Project for the Clover Senior Independent Living Project.

(Note: First read by Council on November 7, 2023.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 23-205 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Nay: 1 - Councilmember Felker

- C. [2023-5807](#) Public Hearing: Application #PL2023-130 - Rezoning from AG to CP-2 and Preliminary Development Plan - Cowboy Carwash, 3601 SW Hollywood Drive; KC Cowboy Properties, LLC, applicant.

Councilmember Felker recused from this Public Hearing due to a conflict of interest with his employment.

Mr. Shannon McGuire, Senior Planner, entered Exhibit A: 1 - 24 into the record.

Council discussion included:

- Location of other car washes in the area
- Entrances / Exits

No one was present to speak in support of or in opposition to this application.

- 1) [BILL NO. 23-206](#) An Ordinance approving rezoning from District AG (Agricultural) to District CP-2 (Planned Community Commercial District) and a Preliminary Development Plan for Cowboy Carwash, located at 3601 SW Hollywood Drive, all in accordance with the provisions of Chapter 33, Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.
(Note: First read by Council on November 7, 2023. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Shields, that Bill No. 23-206 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Recused: 1 - Councilmember Felker

- D. [2023-5812](#) Public Hearing: Application #PL2023-132 - Special Use Permit for a carwash - Cowboy Carwash, 3601 SW Hollywood Drive; KC Cowboy Properties, LLC, applicant.

Councilmember Felker recused from this Public Hearing due to a conflict of interest with his employment.

Mr. Shannon McGuire, Senior Planner, entered Exhibit A: 1 - 19 into the record.

Council discussion included:

- Length of like SUP's

No one was present to speak in support of or in opposition to this application.

- 1) [BILL NO. 23-207](#) An Ordinance granting a Special Use Permit for a carwash facility in District CP-2 on land located at 3601 SW Hollywood Drive, for a period of twenty (20) years, all in accordance with Article 6 of the Unified Development Ordinance for the City of Lee's Summit, Missouri.

(Note: First read by Council on November 7, 2023. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Lopez, that Bill No. 23-207 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Recused: 1 - Councilmember Felker

- E. [2023-5901](#) Public Hearing: Application #PL2023-236 - Preliminary Development Plan - Lee's Summit Flex Space, 60 SE Thompson Drive; Kimley-Horn, applicant.

Mr. Hector Soto, Jr., AICP, Senior Planner, entered Exhibit A: 1 - 21 into the record.

Council discussion included:

- Size of doors - large enough to store semi cab
- Location in Blue Springs

No one was present to speak in support of or in opposition to this application.

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- 1) [BILL NO. 23-208](#) An Ordinance approving a Preliminary Development Plan for Lee's Summit Flex Space located at 60 SE Thompson Drive, 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.

(Note: First read by Council on November 7, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 23-208 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- F. [2023-5891](#) Public Hearing: Application #PL2023-224 - Unified Development Ordinance Amendments to Article 2 pertaining to Applications and Procedures, Article 5 Overlay Districts, Article 7 Subdivisions, and Article 8 Site Standards; City of Lee's Summit, applicant.

Ms. Aimee Nassif, AICP, Deputy Director of Development Services, entered Exhibits 1 - 24 into the record.

Council discussion included:

- Thank you for the cleanup work

No one was present to speak in support of or in opposition to this application.

- 1) [BILL NO. 23-209](#) An Ordinance amending Chapter 33 of the Lee's Summit Code of Ordinances, Article 2 pertaining to Applications and Procedures, Article 5 pertaining to Overlay Districts, Article 7 pertaining to Subdivisions, and Article 8 pertaining to Site Standards; of City of Lee's Summit, applicant.

(Note: First read by Council on November 7, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Shields, that Bill No. 23-209 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- G. [2023-5858](#) Public Hearing: The Highway 291 South LCRA Redevelopment Plan; City of Lee's Summit, applicant

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1 - 6 into the record.

Council discussion included:

- Are other States doing this?
- Process from this point forward if approved
- Contributions from funding sources
- Sales tax
- Reimbursement rates
- Effect on developer's ability to get the funding needed
- Public Private Partnership
- Cap at \$7.1M
- Other projects / infrastructure
- Project based funding
- Boundaries
- Replicated in other parts of the City

No one was present to speak in support of or in opposition to this application.

- 1) [BILL NO. 23-210](#) An Ordinance approving The Highway 291 South Land Clearance for Redevelopment Authority (LCRA) Redevelopment Plan.
(Note: First read by Council on November 7, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 23-210 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

5. Public Comments:

There were no Public Comments.

6. Resolutions:

- A. [RES. NO. 23-26](#) A Resolution adopting the 2024 Legislative Intergovernmental Program for the City of Lee's Summit, Missouri. (LIRC 10/23/23)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Felker, that Resolution No. 23-26 be adopted. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- B.** [RES. NO. 23-27](#) A Resolution to declare the official intent of the City of Lee's Summit, Missouri to finance the costs of the Downtown Market Plaza Project.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Resolution No. 23-27 be adopted. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

7. Proposed Ordinances - First Reading:

- A.** [BILL NO. 23-211](#) An Ordinance vacating a portion of a certain easement located at 290 SE Thompson Drive in the City of Lee's Summit, Missouri.
(Note: First read by Council on November 7, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Hodges, that Bill No. 23-211 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember DeMoro

- B.** [BILL NO. 23-212](#) An Ordinance accepting Final Plat entitled, "Woodland Oaks, Lots 1-42 and Tracts A & B", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on November 7, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Prier, that Bill No. 23-212 be advanced to second reading. The motion carried by the following vote:

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Aye: 8 - Mayor Baird
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember DeMoro

- C. [BILL NO. 23-213](#) An Ordinance accepting Final Plat entitled, "The Village at Discovery Park, Lots 1 thru 13 and Tracts A & B", as a subdivision to the City of Lee's Summit, Missouri.

(Note: First read by Council on November 7, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-213 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember DeMoro

- D. [BILL NO. 23-214](#) An Ordinance approving the Assignment Agreement among NLV Farm Office, LLC, Brittany Harrington and the City of Lee's Summit, Missouri, for the property designated as Redevelopment Project M, containing the Farm Office and the Dairy Manager House as Historic Preservation Improvements, pursuant to the New Longview Tax Increment Financing Plan.

(Note: First read by Council on November 7, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Hodges, that Bill No. 23-214 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

8. Proposed Ordinances - Second Reading:

- A. [BILL NO. 20-163](#) An Ordinance approving Redevelopment Project 1 for the Paragon Star Tax Increment Financing Plan and activating the collection of tax increment financing revenues therein.
(Note: First reading by Council on September 1, 2020. Passed by the unanimous vote.)

ACTION:

Councilmember Felker recused from this Ordinance due to a conflict of interest with his employment.

A motion was made by Councilmember Lovell, seconded by Councilmember Prier, that Bill No. 20-263 be adopted and numbered Ord. No. 9778. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Recused: 1 - Councilmember Felker

- B. [BILL NO. 23-197](#) An Ordinance approving rezoning from District CP-2 (Planned Community Commercial District) & RP-3 (Planned Residential Mixed-Use District) to District PMIX (Planned Mixed Use District) & RP-4 (Planned Apartment Residential District) and a Preliminary Development Plan for Pryor Mixed Use on approximately 18.16 acres of land located at 1805 SW M-150 Highway & 1905 SW M-150 Highway, all in accordance with the provisions of Chapter 33, Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.
(Note: First read by Council on October 24, 2023. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 23-197 be adopted and numbered Ord. No. 9779. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

9. Committee Reports

Councilmember DeMoro stated there would be a Legislative and Intergovernmental Relations Committee meeting on Monday, November 13, 2023 at 11:30am via Zoom. There will also be a Public Works Committee meeting on that same day at 4:30pm (hybrid meeting).

Councilmember Edson noted there is a Community and Economic Development Committee meeting tomorrow, November 8, 2023 at 5:00pm (hybrid meeting).

10. Council Comments:

There were no Council Comments.

11. Staff Roundtable

Mr. Mark Dunning, City Manager, advised the MML meeting in 2024 will be held on February 20 & 21, 2024.

He also provided a very brief recap of the timeline on the 291 N Interchange stating MODOT was originally only going to redeck the bridge and the City let them know that was not satisfactory and the conversations began for updating this interchange. He said it has been several years in the making.

12. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 54 at 10:38 pm.

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"