

The City of Lee's Summit
Action Letter
Planning Commission

Tuesday, July 10, 2018

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 7 - Board Member Carla Dial
Board Member Jason Norbury
Board Member Colene Roberts
Board Member Dana Arth
Board Member Donnie Funk
Board Member Jeff Sims
Board Member Jake Loveless

Absent: 2 - Board Member Don Gustafson
Board Member Herman Watson

Approval of Agenda

A motion was made by Board Member Funk, seconded by Board Member Roberts, that this Agenda be approved. The motion carried unanimously.

Public Comments

There were no Public Comments at the meeting.

Approval of Consent Agenda

[2018-2156](#) Appl. #PL2018-083 - VACATION OF EASEMENT - a 100' x 100' permanent construction easement abutting Lots 539 and 540 of Eagle Creek, 12th Plat; City of Lee's Summit, applicant

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

[2018-2154](#) Appl. #PL2018-107 - SIGN APPLICATION - Pearl Tavern, 1672 NW Chipman Rd; Pearl Tavern, applicant

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be approved. The motion carried unanimously.

[TMP-0955](#) Appl. #PL2018-059 - FINAL PLAT - Winterset Valley, 12th Plat, Lots 1435 thru 1471 & Tracts A12 thru D12; Gale Communities, Inc., applicant

A motion was made by Board Member Funk, seconded by Board Member Sims, that this

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application be approved. The motion carried unanimously.

[2018-2137](#) Minutes of the June 26, 2018, Planning Commission meeting

A motion was made by Board Member Funk, seconded by Board Member Sims, that the Minutes be approved. The motion carried unanimously.

Public Hearings

[2018-2155](#) Appl. #PL2018-084 - PRELIMINARY DEVELOPMENT PLAN and Appl. #PL2018-085 - SPECIAL USE PERMIT for indoor/outdoor storage facility - Extra Space Lee's Summit, 700 SE Oldham Ct; WSKF Architects, Inc., applicant (continued to a date certain of July 24, 2018, at the applicant's request)

Chairperson Norbury opened the hearing at 5:03 p.m. and stated that Applications PL2018-084 and PL2018-085 were continued to a date certain of July 24, 2018 at the applicant's request. He asked for a motion to continue.

Ms. Dial made a motion to continue Applications PL2018-084 and PL2018-085 to a date certain of July 24, 2018. Mr. Funk seconded.

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

A motion was made by Board Member Dial, seconded by Board Member Funk, that this application be continued to a date certain of July 24, 2018, at the applicant's request. The motion carried unanimously.

[2018-2152](#) Appl. #PL2018-087 - PRELIMINARY DEVELOPMENT PLAN - The Reserve at Stoney Creek subdivision pool, 1401 SW Stoney Brook Cir; Engineering Solutions, LLC, applicant

Chairperson Norbury opened the hearing at 5:05 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Matt Schlicht of Engineering Solutions gave his business address as 50 SE 30th Street in Lee's Summit. He displayed an image of the plat showing the proposed swimming pool for the Reserve at Stoney Creek subdivision. This was the same as Manor at Stoney Creek and Parkwood Stoney Creek. This particular phase was the second plat for Reserve At Stoney Creek. The pool and clubhouse would be on a large tract on the south side of Stoney Brook Drive left as a common area for future development. Some residents and neighbors had concerns about the direct access to Stoney Brook Drive, preferring Stoney Creek Drive as an access. The applicant had made that the plan, but this had required a modification since Stoney Creek was a residential collector. A second requested modification was to the medium impact screen that would be required for a pool located next to residential property; however, the configuration made locating the screening the south-southeastern part of the parking lot more effective. The applicant agreed with staff's two Recommendation Items, which addressed these modifications.

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

Mr. McGuire entered Exhibit (A), list of exhibits 1-13 into the record. He stated that the proposed pool and the 2,300 square foot clubhouse would be on 2.62 acre common area at 1401 SW Stoney Brook Circle. The City did not typically require a preliminary development plan for a subdivision swimming pool in R-1 zoning; however, it was necessary in this case since the applicant was requesting two modifications. Staff supported both modifications. He then displayed elevations of the proposed clubhouse.

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Following *'s comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Materials to be used included stone veneer, stucco and composition shingles. The applicant proposed vehicle access from SW Stoney Creek Drive, which was a residential collector; the former plan had the access from Stoney Brook Circle which was a local residential street. The UDO stated that "access to individual lots shall not be allowed from an arterial or collector street when access from a local or access street is available. In the absence of a local or access street the lot shall only have access from a street with the lowest functional classification." The applicant asked for this modification at the request of residents who lived north of the proposed pool site. They wanted to minimize traffic on Stoney Brook Circle; and staff considered the proposed access from Stoney Creek Drive would be more pedestrian-friendly and still provide for a safe traffic flow.

The UDO allowed subdivision swimming pools on platted tracts or common areas by right, if a medium-impact screen was provided along any property line adjacent to a residence. The requested modification to this requirement was to allow that buffer on the interior of the property. This would be adjacent to the east side of the parking lot and driveway. An existing sanitary sewer line and easement were located on the eastern lot line, the screening could not be located there. The proposed location for the screening would meet the UDO intent and still screen the pool and parking lot from adjacent homes.

The access driveway would be within a required stream buffer. The Design and Construction Manual's Section 5600 required buffers; the size of which would be determined by the size of the drainage basin. It did also allow for smaller buffers in specific areas where the provision for was impractical and bank stability had been addressed. Staff considered the location of the driveway to have a minimum impact, and believed that the intent of the requirement was met. Bank stability concerns would be addressed later, at the final development plan stage. Staff recommended approval of the plan, subject to the two Recommendation Items addressing the requested modifications.

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 opened the hearing for Commissioners' questions for the applicant or staff.

Ms. Roberts wanted to know if any additional stormwater project management plans being added to the project to offset additional runoff, since the development was moving inside the stream buffer and adding to the its impervious coverage. Mr. Schlicht replied that actually there had been discussions over whether there should be a stream buffer. They had built a large concrete box culvert during the Reserve At Stoney Creek first plat; so the affected area was limited to directly south of the pool site. There was not really a stream or anything in that area. Additionally the water draining off the pool site would drain directly into the existing detention pond. Ms. Roberts emphasized that she was arguing on the side of protecting the stream, so she would be looking for any additional protections; and Mr. Schlicht emphasized that no water would be draining from the site directly into the stream or its buffer area. They did not intend to add anything to offset the increased percentage of impervious coverage, as this area was included in the original study.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:17 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk made a motion to recommend approval of Application PL2018-084, Preliminary Development Plan, The Reserve at Stoney Creek subdivision pool, 1401 SW Stoney Brook Circle; Engineering Solutions, LLC, applicant; subject to staff's letter of July 20, 2018, specifically Recommendation Items 1 and 2. Ms. Arth seconded.

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

A motion was made by Board Member Funk, seconded by Board Member Arth, that this application be recommended for approval to the City Council - Regular Session, due back on 8/2/2018. The motion was carried by the following vote:

Aye: 6 - Board Member Dial
Board Member Norbury
Board Member Arth
Board Member Funk
Board Member Sims
Board Member Loveless

Nay: 1 - Board Member Roberts

Absent: 2 - Board Member Gustafson
Board Member Watson

Other Agenda Items

There were no other agenda items at the meeting.

Roundtable

There were no roundtable items presented at the meeting.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 5:15 P.M.

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