



## The City of Lee's Summit

### Action Letter

### Planning Commission

Thursday, September 24, 2020

5:00 PM

Via Video Conference and City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

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Notice is hereby given that the Planning Commission of the City of Lee's Summit will meet in regular session on September 24, 2020 at 5:00 pm in person and by video conference as provided by Section 610.015 of the Revised Statutes of the State of Missouri. Due to the ongoing Covid-19 pandemic, public attendance in the meeting room at City Hall is extremely limited, and therefore the public is invited to attend the meeting by one of these methods:

- By viewing the meeting on the City website at [www.WatchLS.net](http://www.WatchLS.net), and various cable providers (Spectrum channel 2, Google TV channel 143, AT&T U-Verse channel 99 and Comcast channel 7) for those whose cable providers carry the City of Lee's Summit meetings.
- By sending a request to the City Clerk at [clerk@cityofls.net](mailto:clerk@cityofls.net) to attend the meeting on the Zoom platform. The City Clerk will provide instructions regarding how to attend by this method.

Persons wishing to comment on any item of business on the agenda may do so in writing prior to 5:00 p.m. on September 23, 2020, by one of the following methods:

- By sending an e-mail to [clerk@cityofls.net](mailto:clerk@cityofls.net),
- By leaving a voicemail at 816-969-1005 or
- By leaving written printed comments in the utility payments drop boxes located in the alley behind City Hall or inside the foyer at the north end of City Hall, both located at 220 SE Green Street, Lee's Summit, MO 64063.

Written comments submitted by these methods will be presented at the September 24, 2020, meeting. Persons wishing to speak at a public hearing on this agenda may do so by contacting the City Clerk prior to 5:00 p.m. on September 23, 2020 by e-mail at [clerk@cityofls.net](mailto:clerk@cityofls.net), and they will be provided with instructions regarding how to provide their live testimony via videoconference during the public hearing.

In the event that the meeting cannot be broadcast via [www.WatchLS.net](http://www.WatchLS.net) and the cable channels noted above, this agenda will be amended to include directions for the public to attend via the Zoom software platform at [www.Zoom.com](http://www.Zoom.com); such amendment will include a specific link to attend the Planning Commission meeting.

Call to Order

Roll Call

Planning Commission

Action Letter

September 24, 2020

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**Present:** 8 - Chairperson Donnie Funk  
Vice Chair Carla Dial  
Board Member Dana Arth  
Board Member Tanya Jana-Ford  
Board Member Mark Kitchens  
Board Member Jake Loveless  
Board Member Matt Sanning  
Board Member Terry Trafton

**Absent:** 1 - Board Member John Lovell

## Approval of Agenda

Chairperson Funk announced a change to the agenda. Item 3, Application PL2019-330 would be heard first, followed by Item 2, Application PL2020-200. He then asked for a motion to approve. A motion was made by Vice Chair Dial, seconded by Board Member Trafton, that this agenda be approved. The motion carried unanimously by roll call vote.

## Public Comments

There were no public comments at the meeting.

### 1. Approval of Consent Agenda

**A** [TMP-1699](#) Appl. #PL2020-214 - VACATION OF EASEMENT - 1518 SW Blackstone Pl; Kyle Parris, applicant

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

**B** [2020-3693](#) Minutes of the September 10, 2020, Planning Commission meeting

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

## Public Hearings

**2.** [2020-3672](#) Public Hearing: Application #PL2020-200 - Preliminary Development Plan - Oakview, Lots 2, 3 and 4, 1410, 1430 and 1440 NE Douglas St; Star Acquisitions & Development, LLC, applicant

Chairperson Funk opened the hearing at 5:24 p.m. and asked those wishing to speak, or provide testimony, to be sworn in.

Ms. Patricia Jenson, with the law firm of Rouse Frets, gave her business address as 4510 Belleview. Also present (via video conferencing) were Mr. Ron Cowger, with AGC Engineers, and Mr. Robert de la Fuente, with Star Development.

Ms. Jenson included Power Point slides in her presentation. The first showed an aerial overview. This application was for an amendment to the previously approved PDP which was approved in 2018; specifically for Lots 2, 3 and 4. The property was zoned CP-2. The applicants were asking to increase the size of the buildings slightly, which would better meet current market demand. They were not changing any uses. The change required submitting an application for a preliminary development plan amendment, as it was over the 25 percent required for administrative approval. Ms. Jenson pointed out on the map the location of the existing storage facility. The existing Polytainer building was indicated in blue. The City had previously received an email from Mr. Adam Teel, counsel for Polytainer, that had expressed some concerns. It included a maintenance agreement for shared access with Polytainers at

1400 North Douglas. One of the concerns was using Lots 2, 3 and 4 for that access.

The next slide showed the recorded final plat for the area lots, with the yellow shading indicating the lots in this application. However, this had been previously approved and was part of the recorded plat. The next slide showed this access easement, followed by a view of the approved PDP of 2018 including the access points. The following showed the current proposed PDP, with the same access points as in 2018. The final image showed the approved plan of 2018 contrasted with the proposed amendments.

Some concerns conveyed via Mr. Teel included the possibility of many fast food restaurants' customers eating in their cars out in the parking lots rather than inside, due to the pandemic. This might reduce the amount of parking available, with some restaurant customers using the Polytainer parking lot. The applicants had done a parking generation study and believed there was adequate parking. It was partly a matter of patrolling the parking lot on business days and addressing any situation that might impact business operations. Debris and trash from construction and related traffic was also an issue; however, building owners in Lee's Summit were already required to maintain their lots and parking areas.

The final concern was about security; specifically about break-ins for the cars parked by Polytainers employees. This was not something that could be addressed in a zoning hearing; however, it did seem to assume that the new tenants and customers would be unlawful. The businesses would maintain security for their sites just as Polytainers did.

The application included certain modifications, which were being supported by staff. Pages 8 or 9 of staff's report listed their Conditions of Approval, and the applicants did not have any objections or issues with these conditions.

Following Ms. Jenson's presentation, Chairperson Funk asked for staff comments.

Mr. Soto entered Exhibit (A), list of exhibits 1-17 into the record. He displayed a slide with an aerial view and general overview of the area. The subject property was located at the corner of the northwest quadrant of Douglas and Victoria drive, with the three lots outlined in black. Uses and zoning to the west and south were industrial including Polytainers, and the hospital was to the north. Commercial uses including Douglas Square were to the east. Another slide showed three access points that had been proposed. The right-in-right-out access was between Lots 2 and 3, with the shared full access off Victoria Drive. The far northeast corner of the property was a potential Lot 5, and was zoned for industrial use. A third curb cut might be added there along Douglas.

Mr. Soto displayed the original and proposed plans side-by-side. The table below cited the differences in the lot areas directly impacted by Lots 2 through 4. The square footage of Lot 2 had been slightly reduced by about 140 square feet. The remaining Lots 3 and 4 had a more significant increase. The overall difference between the original and current plan was a net 4,300 square feet, the only significant difference between the two plans. The lot layouts, curb cut locations and general locations were close to identical, with the exception of Lot 2. The original plan showed the building a little closer to the corner of Victoria and Douglas, with the current plan shifting it slightly to the north. There would be no impact on internal traffic circulation.

Mr. Soto displayed colored elevations for the buildings, showing the primary materials for Lot 2 as being mostly stucco and brick. Lots 3 and 4 had similar buildings, with materials being stucco, split face block and cementitious panels. Materials and architecture were consistent with what was on the Douglas Street corridor and other recent corridors in Lee's Summit.

Staff was requesting three modifications, which had also been requested and granted for the original plan. The minimum parking setback was 20 feet from the right-of-way, and an 18-foot

setback was requested from Douglas as well as a 14-foot setback from Victoria at one point. These were to adjust to a small jog in the right-of-way alignment that came close to the lot lines in some places. The other two were for tree size and height. The UDO required a minimum 3-inch caliper for deciduous trees and a minimum 8-foot height at planting for evergreens. The ordinance currently made no distinction between sizes of shade trees and ornamental trees, and staff requested a reduction of 2.5 inches for deciduous shade trees and 2 inches for ornamental trees. They had consistently supported this type of modification and these specific modifications had been granted for the original application. It was also consistent with staff's future intent to amend the UDO to reflect this type of modification.

Of the four Conditions of Approval, one was for the parking setbacks and two were for the height and caliper of the trees. The fourth was a requirement for an alternative parking plan based on the parking generation study be approved as part of the preliminary development plan.

A list of public comments and concerns included an increase in traffic on Victoria, debris and trash and security. Public comments had favored and separate access onto Douglas.

Following Mr. Soto's comments, Chairperson Funk asked if there was public testimony concerning the application. Mr. Johnson explained that members of the public wanting to speak to turn the video on.

Mr. Adam Teel, counsel for Polytainers, stated that he had already submitted the concerns cited by Polytainers; and summarized these concerns. The safety aspect was that having traffic flow through the shared access point increased exposure to Polytainer's primary points of parking and access for employees, customers and related services. They preferred an alternate access point in order to avoid this situation.

Chairperson Funk asked if the Commissioners had questions for the applicant or staff.

Mr. Kitchens asked how many parking spaces were in the original approved PDP application, and asked if any parking had been added. Mr. Soto answered that there was an overall reduction across the three lots. Mr. Kitchens noted that one of the concerns had been there being more traffic in the area and insufficient parking.

Concerning the elevations, Ms. Jana-Ford asked about one of the buildings being somewhat different from the other two. She noted that they were all on similar lots and had a similar aesthetic with other buildings on Douglas. Mr. Soto said that the two that were more similar were an attempt to establish an architectural aesthetic for the center, and they did not have a specific user that had what could be called a corporate architectural style. That was the reason for these two lots being more similar.

Mr. Ron Cowger of AGC Engineers gave his business address as 405 S. Leonard in Liberty, Missouri. The elevation that the Commission was seeing was a franchise user that had some specific requirements for how they wanted their prototype to look. They had since slowed their new development progress due to the pandemic. Hopefully they would be able to resume before long; but that was the reason for the difference in the elevations.

Mr. Trafton noted a mention of the Parking Generation Manual in the parking study, and it looked like they were providing 20 more spaces than what was required. Mr. Park confirmed that Priority Engineers had used standard practice to develop their shared parking model. They had also used current best reference manuals to determine particular parking generation rates. Mr. Soto stated that the IT manual had recommended 119 spaces and the applicant proposed 121 spaces for the three lots. Mr. Cowger added that the manual had actually showed 101 spaces required, so the applicant proposed ten additional spaces. Mr. Trafton then asked if this was in line with the UDO requirement, and Mr. Soto replied that for retail

uses, the UDO required five spaces per 1,000. They were anticipating some potential restaurant uses, which would require 14 spaces per 1,000 according to the UDO. The users they were anticipating would do most of their business via drive-through, which would require fewer parking spaces.

Mr. Park stated that he had just checked the UDO parking. It differed from what was required for an alternate parking plan, which was used in this application. The original UDO requirement would have been 135 spaces. Mr. Trafton asked if it was correct that the City was not making a recommendation for an additional 14 spaces, and Mr. Soto answered that it was. The ordinance determined parking requirements in one of two ways: either defaulting to the standard set forth in the UDO, or taking into consideration and review if the applicant could produce documentation indicating that the amount of parking generated by the user would be less than that requirement. The idea was that the UDO did not address specific uses as much as a class of uses; and consequently applying the UDO standard could sometimes result in more parking than was needed. Staff was trying to minimize over parking of sites.

Mr. Johnson added that staff usually started with consulting the IT manual.

Mr. Trafton asked Mr. Teel if Polyainers was aware of the agreement they had made at the time the original preliminary development plan was done. Mr. Teel replied that they were, including the shared drive.

Ms. Jana-Ford noted a mention that Lot 2 was designed for a particular style, and Mr. Cowger confirmed that this was correct. Ms. Jana-Ford remarked that she had looked at the plan and this was intended to be a single or general use and the others intended for multi-use. Mr. Cowger said that it was, adding that if the elevations did have to change, the applicants would work with staff and bring the changes back to the Commission if necessary.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 6:00 p.m. and asked for discussion among the Commission members.

Mr. Kitchens commented that he would vote to approve the application, and believed it was in the best interest of this currently vacant area since it was a major corridor. He commended staff on making sure that the plan would be a good fit for the area. Ms. Arth agreed, stating that this looked like a good project for that part of the city, and employees of the neighboring Polyainers would probably appreciate the restaurants and convenient shopping.

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

Ms. Dial made a motion to recommend approval of Application PL2020-200, Preliminary Development Plan, Oakview Lots 2, 3 and 4, 1410, 1430 and 1440 NE Douglas St; Star Acquisitions & Development, LLC, applicant. Ms. Arth 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 Dial, seconded by Board Member Arth, that this application be recommended for approval to the City Council - Regular Session. The motion carried unanimously by roll call vote.

- a [TMP-1691](#) An Ordinance approving a preliminary development plan located at 1410, 1430 and 1440 NE Douglas St in District CP-2, Oakview Lots 2-4, 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. [2020-3498](#) Continued Appl. #PL2019-330 - REZONING from AG to R-1 and PRELIMINARY DEVELOPMENT PLAN - Woodland Oaks, Lots 1-42 & Tracts A-C, 2501 and 2601 NE Colbern Rd; Engineering Solutions, 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. Chairperson Funk then entered into the record exhibit 18, staff's letter regarding the sanitary sewer system. He stated that there was no more testimony from the applicant. Mr. Matt Schlicht responded that the only thing staff wanted to discuss was the full access that was discussed at the previous hearing.

Mr. Schlicht gave his address as Engineering Solutions at 50 SE 30th Street in Lee's Summit. He reviewed that the previous discussion had concerned the access off Blackwell, shown as right-in-right-out. Technically the access was not required; since Woodland Shores was just south, with two full access points off Blackwell. The existing stub street going into the subject property did not have any access point either. Additionally, the traffic generated by the proposed development would be fairly light; about 33 trips during the morning peak hour and .44 trips during the afternoon peak hour. Even taking into account that both Woodland Shores and Woodland Oaks residents would use the access, the estimated count in Woodland Shores in particular would be 15-20 cars. Additionally, the City codes would not require a full access at this location. Regarding the sanitary sewer, the applicants had read staff's comments and did not agree but did understand the process.

Chairperson Funk asked if staff had any comments. They did not, and there were no questions from the Commission. Chairperson Funk then closed the public hearing at 5:15 p.m. and asked for discussion among the Commission members, or a motion.

Mr. Sanning stated that before he made a motion, he would propose an amendment to include a left turn lane out of the right-in-right-out entry. Mr. Bushek asked if the intention was to include this amendment as a recommendation to the City Council, and Mr. Sanning replied that it was. Mr. Bushek also wanted to know if the intention was to make the motion and then amend it, or if it was to be framed as one motion. Chairperson Funk also wanted to know if Mr. Sanning wanted to make a motion and amend it to include the additional requirement for the left turn. Mr. Sanning replied that this was correct. Mr. Bushek stated that no motion was in front of the Commissioners as yet; so one option to make a 'standard' motion and then amend it, with the Commission voting separately on that amendment; and the other option was to phrase the initial motion to include that recommendation. In the latter case, the Commissioners would vote on that one motion.

Mr. Loveless stated that he was not in favor of an additional burden to the developer, especially in view of the low traffic level the development would generate. The developer was already being asked to deal with the previous issues over water.

Ms. Dial preferred that the Commission first vote on whether to add the amendment before voting on the entire application.

Chairperson Funk summarized that the Commission would vote on whether to add an amendment to read "adding a left turn lane". Mr. Bushek replied that the best way in terms of procedure would be to make the standard motion to approve the application, with a Commissioner making a motion to amend it with the additional requirement. That way they could discuss that issue separately.

Mr. Park requested that the Commission make a motion to amend, so it would be clear what the recommendation was for; for example, recommending a northbound left turn lane at the access, with a distance of 200 feet plus a taper. That would remove any ambiguity.

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Chairperson Funk then called for a motion.

Ms. Dial made a motion to recommend approval of continued Application PL2019-330, Rezoning from AG to R-1 and Preliminary Development Plan, Woodland Oaks, Lots 1-42 & Tracts A-C, 2501 and 2601 NE Colbern Rd; Engineering Solutions, LLC, applicant. Mr. Loveless seconded.

Chairperson Funk asked if there was any discussion. Mr. Sanning made a motion to include an amendment, recommending a northbound left turn lane with a distance of 200 feet plus a taper. Mr. Trafton seconded. Mr. Bushek clarified that the Commission could have a discussion on the proposed amendment, following by a vote on that. Whether it passed or not, the Commission could then vote on the main motion. As there was no further discussion, Chairperson Funk called for a roll call vote.

On the motion of Mr. Sanning, seconded by Mr. Trafton, the Planning Commission members voted by roll call vote of two "yes" (Mr. Sanning and Mr. Trafton) and six "no" (Chairperson Funk, Mr. Kitchens, Mr. Loveless, Ms. Dial, Ms. Arth and Ms. Jana-Ford) to not approve the proposed amendment.

Chairperson Funk then asked for a motion and a roll call vote on the original application.

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

- a [TMP-1668](#) An Ordinance approving a rezoning from Agricultural (AG) to District R-1 and preliminary development plan for approximately 20 acres located at 2501 and 2601 NE Colbern Rd, proposed Woodland Oaks, Lots 1-42 and Tracts A-C, in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
4. [2020-3690](#) Appl. #PL2020-210 - REZONING from AG to R-1 & RP-4 and PRELIMINARY DEVELOPMENT PLAN - Stag's Field, 1215 NW Bowlin Rd; Stag Commercial, applicant

Chairperson Funk stated that regarding public comments on this application, he would remind participants that this meeting was being recorded and broadcast on LSTV and cable TV, so any remarks would be recorded and available on a permanent basis. Those wishing to comment should turn on their video. Those physically present would be heard first, and needed to keep remarks to three minutes. Anyone speaking on behalf of a group should let him know and the Commission would allow a little more time. He then opened the hearing at 6:02 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Kevin Tubbesing gave his address as 7021 Johnson Drive in Mission, Kansas. He displayed PowerPoint slides during his presentation. He specialized in land and in-fill development, and had done over \$100 million in local development, both commercial and residential. In Lee's Summit he had overseen the Cityscape DTLs Apartments in the Downtown area and the Kubota/Coleman equipment dealership down the street from the location for this application. His company was also the site selection/development consultant

for the historic Methodist Church Downtown.

Mr. Tubbesing noted that demand for multi-family housing in Lee's Summit was strong. The important part of this development was the understanding that the approach for apartments had changed in recent years. The earlier perception was that multi-family developments tended to have low rents and to reduce the value of nearby homes; whereas many people looking for apartments were now 'renters by choice' and looking for high quality housing. This was confirmed by Lee's Summit's Housing Needs Assessment. In subdivisions in the south part of the Lee's Summit area, the median mortgage was about \$1,400. Many of the units he was proposing would have monthly rents of \$1,500 or more.

Lee's Summit's Comprehensive Plan noted a need for "*accommodating multi-family housing of densities ranging from duplexes to apartments and should limit development.*" Mr. Tubbesing assured the Commission that developers did pay attention to the City's Comprehensive Plan and Land Use Guide. The Guide's preference for this property was medium- and high-density residential. Many of the neighbors who were strongly opposed had asked why the development could not be . He noted that all the Monticello homes were built after the determination that this land should be medium- to high-density multi-family use; so the neighbors had moved in knowing that this was going to occur.

The summarized guiding principles included high rents, as he wanted to attract only renters by choice who could pay rents higher than the average monthly mortgage payments in nearby Monticello, in order to pay for the amenities and the high quality materials. Concerning parking, Mr. Tubbesing remarked that in driving through multi-family areas he did not like to see cars parked on the street, and trash cans on the street on pickup days. The site was designed for no street parking outside of special events. It was a self-contained community with its own road system, so no outsiders would be cutting through going to and from their homes. Only two-story homes would be on the boundary, avoiding a noticeable contrast with the Monticello neighborhood. He intended to do extra landscaping on the southern border, exceeding Lee's Summit's landscaping requirements.

Jamestown Drive bordered the right side of the displayed map, with that area color coded pink; this would all be housing with 16 units. He had given Monticello the option of bringing those 16 units into their HOA, so that their architectural review committee could have a measure of control, giving the homeowners access to its amenities. The small blue area on the displayed drawing was for the pool and other neighborhood amenities, and the large green area would be two story homes.

A displayed road map of Monticello and the subject property showed a significant distance between houses. The shortest would be 115 feet in the northwest corner, but most of the rest would be at least 265 feet from the multi-family units. A Site Section map showed the view of the site based on topography. The neighbors had been concerned about the large four-story building that was planned; however, another site distance aerial view showed it



to be one fourth mile from Monticello. Some of the 'manor' homes would be staggered and split level, again due to the topography.

A colored rendering showed a view of a 10-plex manor home on Bowlin Road, another illustrated a four story apartment building. Mr. Tubbesing acknowledged that this was still conceptual but it gave an accurate general impression of what the building would look like. A view from the back of the clubhouse showed the pool and landscaping, followed by a front view of the clubhouse. It would offer exercise equipment, a yoga studio and a party or meeting room. Mr. Tubbesing then showed renderings of the material and exterior finishes.

The residents would have an average annual income of about \$102,000, and statistically people spent about 15 percent of their income within three miles of home. That meant that residents of this development would spend almost \$6 million annually in Lee's Summit. Property taxes would be \$14,644,354 to Jackson County for the first 20 years, with \$2,243,676 going to the City.

Following the neighborhood meeting, the Blue Springs School District had stated that it did not oppose the development, though it did not issue statements of support. Moreover, statistics show that households added more children to the school system than apartment dwellers.

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

Mr. McGuire entered Exhibit (A), list of exhibits 1-19 into the record. He confirmed that this application was a preliminary development plan and rezoning for a 16-lot, subdivision (R-1) and a 356 unit apartment development (RP-4). The applicant was requesting a modification to the minimum landscaping requirement, to the allowed RP-4 density and to the minimum lot size. He noted that all site development was tied to an approved plan and any significant deviation would require a new PDP and new public hearings. The approximately 35 acre subject property was located on the south side of NE Bowlin Road at the intersection of NE Jamestown Drive. It was currently unplatted and was zoned AG. A brick home and barn were located at the southeast corner of the property; and the properties to the north and east were zoned R-1 and AG and were the site of Fleming Park. The Monticello property to the south was zoned R-1; and the property to the west was zoned CP-2 and was the site of Executive Lakes Center, with mostly office uses.

Mr. McGuire displayed the elevations of the various apartment buildings proposed, with the proposed materials to include asphalt shingles, metal roof panels, stucco, lap siding, and stone veneer with paint and trim colors in various shades of brown and gray. The applicant had requested modifications to the density and minimum lot size. For RP-4 zoning, the maximum was 12 dwelling units per acre and a minimum 3,500 square feet lot size per unit. The applicant proposed 13.7 units per acre and 3,200 square feet for each unit's lot. The table included in staff's report compared the proposed density with that of other similar developments recently approved. The requested density was lower than others recently approved, including the Village At View High apartments and the

residences at New Longview.

Mr. McGuire reviewed the landscaping modification request. As with the previous application, this was a standard modification; and best practices for landscaping indicated that the proposed smaller sized trees were more adaptable and had a higher survival rate than larger ones. The applicant also requested a modification to the requirement for a high-impact landscape buffer and fence location. It was to be 6 feet and centered with a 20 foot wide landscape buffer along the property line. The applicant proposed the fence to be located on the property line. That would allow the landscaping to be placed inside the property line, making maintenance easier. This placement had been discussed with neighboring residents and there had been no objection.

The southeast quadrant of the I-470 / Bowlin Road intersection was categorized as a transitional area. Typical interstate interchange commercial use anchored the southwest and southeast corners of I-470 and Lakewood Boulevard. The abutting development between I-470 and the subject site was mostly service and office uses; and the area made a transition to single-family residential use to the south. Fleming Park was to the east. These transitions followed good planning principles for buffering land uses of various densities. With the Conditions of Approval cited in staff's report, the project met the standards of the UDO and the Design and Construction Manual.

Following Mr. McGuire's comments, Chairperson Funk called on the first person wishing to comment.

Ms. Kristina Ray gave her address as 1340 NE Brandywine Road in Lee's Summit. She and her group represented a committee of people representing various neighborhood around the subject property. They had spent a lot of time organizing and gathering details. She was a resident of the Monticello neighborhood, and also a registered nurse; and would provide some information regarding emergency response times and traffic studies done for this area. On July 25, 2017, the *Kansas City Star* reported that a gradual growth in the city's population had resulted in slower than desired response times. According to the Lee's Summit Fire Department's statistics on standards of response, the high risk fire suppression target rate was 10 minutes and 20 seconds. However, the actual response time had risen to an average of 21 minutes by 2018. The data generally showed that response times for emergencies were getting worse due to population increase. In terms of EMS response, the low risk target rate was 10 minutes and they did achieve that target in 2018. However, the actual response time to moderate risk was 17 minutes and 22 seconds. For moderate risk technical rescue in 2018, the target was 10 minutes and 20 seconds with an actual response time of 18 minutes and 49 seconds. By the City's own data, based on population growth, building a high density area would impact response times, creating property loss and risk to lives.

Regarding this application, the proposed development would include 372 dwelling units; and the vehicle movement generated would total about 3,000 trips per day in an out of the high density development. This did not include Monticello or the adjoining neighborhoods such as Parks Ridge and Dalton's

Ridge. According to the traffic study done in 2016, before Monticello was developed, the intersection of Lakewood Way and Bowlin generated scores of "D" and "F" in terms of traffic flow. This would persist even with the proposed road improvements. This did not even take into account the activity at nearby Lake Jacomo during the summer. A high density development in this area would impact not only traffic flow but would affect safety, property and lives.

Ms. Sherry Westhues gave her address as 1321 NE Brandywine in Monticello. She was a real estate agent with Reece Nichols in Lee's Summit. After reviewing the market study that the City had updated, she had discovered a net demand of 6,776 apartment units in the next seven years. Only half were currently in existence; and out of the approximately 3,600 still needed, 95 percent were either under construction or approved for construction and completion by 2027. There was time to evaluate if they met capacity at this point. It was as important to meet other housing needs as it was to meet the demand for apartments. Lee's Summit had a shortage of one-level dwellings, sometimes referred to patio homes. There were over 150 maintenance provided homes, some of which were two levels. It would be to Lee's Summit's benefit to be a 'long term community', meaning that as homeowners moved, there should be a commitment to ADA and elderly needs. It was not to the city's advantage to have people living there for several decades and then, when the time came to downsize, have to move to Grain Valley, Oak Grove or other surrounding towns. A low density development with one-level living would fit a growing need.

Mr. Norman Greer gave his address as 4832 NE Jamestown Drive. He had been a Lee's Summit resident and had been a homeowner for 45 years. He and his wife were retired teachers and lived in Monticello. The I-470/Bowlin Road interchange was the gateway entrance into Lee's Summit from the north, according to the prominently displayed sign in the median. The area surrounding this interchange incorporated the abundant green space and wildlife in Fleming Park and Blue Springs Lake including lakes, campgrounds and walking trails. A four-story apartment building and complex would send a mixed message of city planning and development to people entering Lee's Summit at this location. The complex would also lack the commercial amenities that were either built into or readily available to tenants in apartment complexes recently built or under construction elsewhere in town. He based these conclusions on Lee's Summit's Comprehensive Plan and listed under "Key Considerations and Underlying Principles" for planning. These stated that "(1) "Plan for the future while protecting and improving the existing " and (2) "It is important not to lose sight of what is existing when planning for the future." The future plan must ensure that recommended new development and its uses at its location fits in with the existing and complements the existing style."

Mr. Troy Bellah gave his address as 1248 SW Wysteria Drive in Lee's Summit. He was and had been a real estate developer and home builder for over 40 years and had lived in Lee's Summit all his life. He was very much in tune with the local real estate market, and was the developer of Monticello. Five years ago he'd had this same piece of property under contract, for the purpose of extending Monticello into the south half of the property. On the north half, he had

planned for low density, asymmetrical four-plexes for senior independent living.

City staff had been very supportive of this concept at the pre-application meeting. He had chosen this design to create a low impact, multi-family project that would be compatible with the existing surroundings of trees and parkland as well the existing residential development at Monticello. Unfortunately, funds had not been available for this second development; but Monticello was close to being complete and he was now in a financial position to develop this concept.

Mr. Bellah considered the density for the proposed development to be too high; and it did not complement the surroundings very well. The impact would be too abrupt and it lacked any subtle transitions.

Mr. Justin Van Wyk gave his address as 5800 Diamond Court in Lee's Summit. The Committee of Monticello had asked him to speak on behalf of the neighboring HOA in Oaks Ridge Meadows to the northwest of this property, using the same exit 14 [Lakewood Boulevard and Bowlin Road] off I-470. He summarized the potential impact on the community and specifically schools. One of the first concerns was from a former Oaks Ridge Meadows resident and original builder within the HOA, who had informed them that at one time the existing elementary school building could not accommodate any more students. Some classes had to be held in trailers on neighboring lots. Mr. Van Wyk commented that when he had moved to Lee's Summit from Iowa, he would have kept on going if he had passed the school and seen trailers.

Residents were concerned about a high-density development in this location having a negative impact on the current resources of the neighborhood's elementary school. Classes were already at capacity despite the number of students being kept at home due to the pandemic. Even before this development was proposed, teachers had expressed concerns about class sizes, and claims that it would not impact this were misleading. The HOA president had reached out via email exchanges with Mr. Michael Park. It was widely known that Anderson Road was a 'high traffic speedway' when residents were trying to get their children to school on time. Reports about near accidents and reckless speeding drivers endangering children on this road were frequent. In response, the HOA had used its own funds to install a solar powered flashing pedestrian crosswalk sign. This development could only result in more drivers cutting through the neighborhood near their back yards. In conclusion, the proposed development was dangerous and short sighted.

Chairperson Funk asked that anyone wishing to speak via Zoom to turn on their video.

Mr. Rodney Surbers gave his address as 4836 NE Jamestown Drive. His lot was directly adjacent to the proposed development. He noted that this proposed high-density development bordered the entrances to Blue Springs campground and Blue Springs Lake. Further, the entire east side of the development bordered Fleming Park. The entrances to Blue Springs Lake and Fleming Park were less than a half mile from the Bowlin Road exit off I-470. The turnoff to the Blue Springs campground off Bowlin Road onto the campground road was only

one fourth of a mile from I-470. These were four city areas with parklike settings and significant wildlife activity including deer, turkeys and bald eagles; and they were accessed by thousands of people every year. At present residential and commercial obstruction to detract from this setting was minimal. Building a high density development on this proposed site would not be in keeping with this parklike area and cause a significant negative impact.

Incorporating a significant amount of green space into this or any other proposed development would at least provide some preservation and conservation of the area and be consistent with the park environment. It would also be more consistent with Lee's Summit's Comprehensive Plan, which encouraged protection of the natural environment, and treating "*the environmental features as valuable assets rather than stumbling blocks to progress.*" [page 68] In short, this proposed high density project just did not fit. Based on the many facts and concerns shared by the neighborhoods, the residents respectfully asked the Commission to vote 'no'.

Ms. Joan Bergstrom gave her address as 909 NE Kenwood Road in the Lake Ridge Meadows subdivision. She was representing other homeowners who were attending their Homeowners Association's annual meeting tonight. She had all the same concerns that she had heard other residents bring up about high density housing. The traffic load was already difficult to maintain and did impact fire and police response. The neighborhood did not have the infrastructure to support this kind of development.

Mr. James Riesselmann gave his address as 1109 NE Long Ridge Road, in the Arbor East subdivision, and had been living there for 29 years. He was representing that subdivision and the others along Lakewood Way. He read from a statement that he had submitted yesterday.

One question was what would be the value of rezoning the subject property. He was aware of the financial 'up' side; but every aspect beyond that was negative; and did not think that a mixture of R-1 and RP-4 on that property would be a good situation. He wanted to know how the Planning Commission intended to address the traffic infrastructure that already needed improving before build out. He also asked what support would the City's staff, Planning Commission, the City Council and the Mid-America Regional Council [MARC] be willing to offer in the way of a collaborative approach to determine if an NID [Neighborhood Improvement District] was feasible. That would include all commercial, residential and undeveloped land from Colbern Road on the south, Lee's Summit Road on the west, all the property located up to the east boundary of Lee's Summit, and Lake multi-family and Blue Springs Lake extending to property abutting Independence. That would include the city of Blue Springs.

Since an NID had to include only one municipality, it would take extensive revenue in order to develop a plan to vote on supporting infrastructure needs with tax revenue. Mr. Riesselman also noted that R-1 zoning and RP-4 zoning on the same property would create higher density, and he wanted to know how the City in general and specifically the Commission intended to address the need for improvement for the roads adjacent to this project; including the

likelihood of both gridlock and safety challenges. Finally, Mr. Riesselman wanted to know what the City and the Commission proposed in the way of a long-range plan that would involve a collaborative effort with MoDOT, MARC, Jackson County, the Corps of Engineers and adjacent cities to develop a plan for an additional trafficway from Todd George Road at Woods Chapel north to US 40 and west to Blue Springs Lake. That would benefit and complement the development of the Comprehensive Plan and the related conceptual land use plan.

Ms. Jamie Ledgerwood gave her address as 5751 NE Timber Hills Drive. She had lived in this subdivision for 14 years and was speaking on behalf of Timber Hills residents who opposed this development. The subdivision was located off NE Lakewood Way between Bolin Road and US 40. She had attended a meeting with the developer, and doubted that anyone had given much thought to the traffic situation. It was already very congested on Lakewood Way. After consulting the 2017 traffic study, the developer had stated that there was no need for any kind of improvements or changes to this road. This stretch of Lakewood Way was already sometimes referred to by residents as the "Lakewood expressway". Since that study was done, Monticello had been developed and already had a connecting street that went into existing neighborhoods to the south. This had resulted in more traffic. If the development was to have 900 parking spots, that would mean accommodating as much as 900 additional vehicles.

When she had raised this concern at the meeting, she was told that the nearby residents would use the highway, not Lakewood Way. This was not the case. Many people who lived between US 40 and Woods Chapel used the outer road (Lakewood Way) and rarely used the highway. Numerous wrecks had occurred since 2017 and she had been one of them. The accident had almost totaled her vehicle, and three of her neighbors had been in accidents on this road as well, and the number of people speeding made it difficult to get onto the road out of the neighborhood. She had contacted the City several times and had spoken with the chief of the Traffic division and had been told that because this was a major road that extended well outside Lee's Summit up to Liberty, they could not lower speeds or add any stop lights.

A hit and run incident involving a pedestrian had happened in 2017 and this road had poor lighting and no curbs, sidewalks, turn lanes or shoulders. The danger had further increased with there being more pedestrians and people on bicycles and drivers trying to change lanes to avoid them. Lakewood Way also had sudden increases in traffic whenever traffic slowed down on I-470 and drivers exited looking for detours. This sometimes caused traffic to back up from US 40 to the entrance to Ridgewood Hills, well over a mile and it could take as long as 10 minutes just to get out of the neighborhood. The City not maintaining the brush and trees along the road increased the problem by impairing visibility, though the City had cut them back recently. The traffic study had confirmed that this highway was not safe; and Lee's Summit kept building but had not addressed the problems on this Lakewood Way between Bowlin Road and US 40. It could not handle the traffic that another development would bring to the area.

Mr. Tubbesing stated that the decision to use the 2017 study was influenced by reluctance to take a traffic count during the pandemic. They had applied a multiplier to compensate for Monticello as well as a population increase since 2017. This was the basis of the count recorded. He agreed with staff recommendation that addressed the traffic concerns referenced in the traffic study and staff's review. Regarding commercial use, that had been demonstrated to not be an inappropriate use on this site, as two commercial lots were on the west corner that had been on the market over 20 years. All the neighbors had agreed that they did not commercial use.

Chairperson Funk then asked if the Commission had questions for the applicant or staff.

Mr. Kitchens noted to Chief Eden to address the concerns about possible emergency response issues, and in particular if multi-family housing was a factor. Chief Eden answered that it was not from a code perspective. All the buildings would be equipped with sprinklers. The Fire Department concerning needs for water in emergencies for this type of construction and the developer was aware of these needs and had addressed them appropriately. Concerning response time, this development would be 2.58 miles from Fire Station 4. That was further away than several existing complexes on the west side of Lee's Summit. There had been issues about response times in this particular part of the city, but not at the location of this project. In terms of travel time, the actual response time was five minutes. That fell within the official standard for suburban density.

The longer response times referenced earlier were for "effective response"; which meant the time it took to get a full crew of personnel on the scene. In some situations that might mean bringing ambulances and fire trucks from other parts of town. In terms of getting units on the scene, typically a 5 minute minimum would include travel time and turnout time. In terms of the code it was not a concern but he could understand that concerns expressed by the residents. The Department was trying to address this and was looking for a new location for Fire Station 4.

Mr. Kitchens then asked Mr. Tubbesing about incorporating green space into the project. Mr. Tubbesing replied that the property was on a rolling terrain, with two areas in the middle and to the northeast. This area had a significant amount of green space. Also, an amenity center was behind the pool and was easily accessible; this area would have a multi-purpose court with a lot of green space around it. These spaces not only reached but exceeded the six percent standard.

Mr. Dan Foster of Schlagel and Associates identified himself as land planner and landscape architect for the project. He did not give an address. He stated that in addition to the clubhouse, they did have a significant amount of green space. The site plan showed an area extending from the clubhouse down toward Bolin Road that had a storm water feature. That entire draw was left as open space. Additionally, the area along the east side between the R-1 and

RP-4 zoning also had a significant draw that would also be left as open space, with a large portion left in its current natural state. This particular property had been agricultural and it was mainly pasture and much of the trees and vegetation would stay. The open space area was about 500,000 square feet, which considerably exceeded the code requirement.

Mr. Kitchens remarked to Mr. Park that the Commission had heard some concerns about the volume and speed of traffic, and that there had been some requests for stop signs. He asked for some details and advice on how to meet these requests. Mr. Park acknowledged that the City had held several conversations over the years with Lakewood Way residents. The City was required to follow a legislative guide called the "Manual on Uniform Traffic Control Devices", which set out certain conditions for putting the more restrictive types of traffic measures in place. At this time, none of these warranting conditions had been met.

Presently about one crash per year occurred on intersections along Lakewood Way. A look at Lakewood Way would go beyond just this development, as many of the conversations had occurred after the Sallee project and before this application. These were developments in the area of Lakewood Way but not along the road itself; and the City did not have any standards or policies requiring those developments to mitigate existing issues. Mr. Park did agree with the comments about the lack of turn lanes, which was one of those existing issues along with the lack of accommodation for pedestrians and people in bicycles.

Mr. Park emphasized that turn lanes did not mean adding lanes to the road itself. There was no issue about capacity in terms of vehicles. Improvements to Lakewood Way would require a certain investment by the City, such as a bond issue or sales tax; and this was most likely where the City Council was left in a kind of pending decision about funding. It was not among the City's current funding priorities. In terms of the nexus of development, the standards in play did require a mitigation of Bowlin Road and Jamestown Drive; and these were reflected in staff's Conditions of Approval. Those roads did need to be rebuilt to bring them up to current standards before occupancy of the apartments and building permits for the single-family homes.

Mr. Kitchens acknowledged Mr. Park's reference to the need for certain conditions being met once thresholds had been exceeded. Much of what the City did with roadways was tied to federal requirements. In this case, however, the development of that area, whether via this developer or another, might become a higher priority in the future in terms of meeting federal standards.

Ms. Arth asked if the referenced green space would include a dog park. Mr. Tubbesing replied that it would not. Ms. Arth then asked Mr. Tubbesing to describe the finishes for the apartments. He acknowledged that they had not yet designed the interiors; however, apartments of this quality would have granite countertops in both kitchens and bathrooms, high end appliances and washers and dryers in each unit. Air circulation would be in each separate unit: an especially valuable amenity in view of the current pandemic. Ms. Arth then



asked about parking, and Mr. Tubbesing replied that many of the two story units would be “podium” apartments, with enclosed parking in the basement level. They wanted all the parking to be off-street. An undetermined number of carports were planned for the four story building, and all the manor homes had attached garages.

Ms. Arth then asked if the plan would include three bedroom units, or two bedroom units with a den. Mr. Tubbesing remarked that today, most two bedroom dwellings were actually occupied by one person or a couple, with the second bedroom having some other use such as an office. There were similar adaptations with three bedrooms.

Mr. McGuire added that the plan included eight studio units, 103 one bedroom units, 211 two bedroom units and 34 three bedroom units.

Ms. Jana-Ford asked if the parking figures included the garages in the podium apartments, and Mr. Tubbesing answered that it did. Any space where a vehicle could be parked was counted in the parking ratio. The basement parking would be in ten of the manor homes, and would be only on the east side under the two story buildings, due to the drop-off of the grade. Ms. Jana-Ford then asked if the plan was for a two car garage for a two bedroom dwelling and a one car garage for a one bedroom dwelling.

Mr. Kyle Creeden wished to comment, and was sworn in. He explained that the four story buildings would have parking on the ground level. The manor homes would have their own parking as part of the building; and the ten-plex manor homes would have tuck-under parking at each end, not on the front or street side. The 16 plexes were along the east side and they would encompass parking for the residents in the manor homes. Ms. Jana-Ford asked where the reference to 123 percent of parking had come from, and Mr. Creeden answered that it was based on the City's required parking for the number of studios and of one, two and three bedroom units. Studios had to have one space for every unit, one and two bedrooms would have three spaces for every two units, and three bedroom units would have two spaces per unit. Additionally, guest parking would be at one space for every two units. This was the basis for calculating levels of required parking, and this project slightly exceeded that amount.

Mr. Johnson clarified that the UDO required a total of 731 spaces; and they had 947 proposed, which was the basis of the 123 percent figure.

Ms. Jana-Ford recalled the mention of seniors using the first floor. Mr. Tubbesing confirmed that they did anticipate most of the first floor units being occupied by seniors; and additionally they planned to include an elevator in the four story buildings.

Concerning the required improvements, Mr. Sanning noted that the amended staff recommendation included stipulations regarding the improvements to Bowlin Road and the southbound turn lane on I-470. He asked for some detail about how this would work and how that would affect the traffic on Lakewood Way. Mr. Park acknowledged that this was difficult to determine ahead of time. He clarified that this was about improvements on the state highway system and right-of-ways. There was a southbound right turn lane on the off ramp from I-470 to Lakewood Boulevard; this became Bowlin Road to the east. MoDOT had reviewed the traffic impact study with City staff and all were in agreement about the study. MoDOT had its own recommendations about what was required to mitigate some of the delay for traffic exiting I-470. They expected that providing an additional turn lane on the ramp

would reduce some of that delay. That did impact most of the traffic heading west, so it would not have much impact on Lakewood Way itself.

Mr. Sanning remarked that he had driven on Lakewood Way a number of times, so he understood the concerns in some of tonight's comments. He wanted to know what needed to be done to convert what had been a two lane country road into a thoroughfare that would handle increasing levels of traffic. Mr. Park answered that ideally, it would include putting in curbs, sidewalks and left turn lanes at intersections. The curbs were basically an aesthetic issue but sidewalks would address pedestrian movements, with turn lanes being related to safety concerns regarding motorized vehicles. It was not really an issue of capacity, as even a two lane road could handle 10,000 to 15,000 vehicles per day and the current volume as actually below that. He added that this development would not generate a significant volume onto Lakewood Way, especially in view of the fact that only a certain percentage of trips would not even go north. A certain percentage would go south, along I-470.

Mr. Trafton remarked that he lived on the west side of town, in a densely populated area with three apartment complexes within a mile of his house. At first the high density of this project had worried him, but he appreciated staff putting that into perspective. He had not been supportive of one of the four story complexes that went in near his home and towered over Longview Park and the chapel, plus two historic barns that they were still trying to get renovated.

Mr. Trafton had been pleasantly surprised at the work and attention the developer had devoted to providing a transition from single family homes to the two story apartments. He still did have an issue with four story apartment towers. He understood the need to have those 23 apartments on the fourth story; but wanted to know what the total height of that building compared to the two story buildings nearby. He asked if any of the parking would include fees to residents for the more desirable spots or if parking was generally included for all the apartments. Mr. Tubbesing answered that the stalls would be assigned to specific units.

Mr. Trafton added that concerning Ms. Arth's question about dog parks, he did think that would be a good addition. He liked how the development was designed so that everything went up to Bolin Road and out, and minimized interference with the surrounding neighborhoods.

Mr. Creeden stated that the four story building was the maximum height that the City allowed, which was 50 feet. The two story manor homes were 38 feet. Mr. Ryan Robstack gave the specific height figures as 42.9 feet for the two story buildings and 55.9 feet for the four story buildings. Mr. Creeden added that the 42.9 figure was actually to the top of the gable, which was consistent with the height of an average two story home. The four story apartment building had a mansard roof, to be consistent with the residential look. Mr. Trafton observed that this was a 13 foot difference between the two buildings.

Mr. Tubbesing displayed the color coded map showing the four story building as being in the yellow portion to the northwest. He pointed out the ponds to the center and east on the north end, noting that these were the low areas. They would be building on the ridge line. Mr. Foster added that the buildings would be at the highest point along the south boundary, with Bolin Road at the lowest point and a net elevation change of about 16 feet. The building would be significantly lower than the homes on the south boundary.

Mr. Tubbesing remarked that one of the things important to him was putting the four story building adjacent to the commercial area nearby, but also in effect self-buffering with the two story buildings. Mr. Robstack clarified that the 10 unit manor homes were 38 feet, and the 16 unit manor homes were 42 feet.

Mr. Trafton asked if Bolin and Jamestown roads would have curbed and have sidewalks on both

sides of the street. Mr. Park confirmed that the roads would have to be improved to an urban standard, which included sidewalks and curbs.

Mr. Sanning recalled a question from a resident regarding collaboration with Mid-America Regional Council [MARC], Jackson County and MoDOT. He asked for some detail regarding what that would entail and mean to the community. Mr. Bushek answered that the question was about whether a Neighborhood Improvement District could be formed to fund improvements. This was possible, though it would take a lot of work and study. The City would need to evaluate the feasibility, including what would be funded. It would have to take into account what the capital improvements plan already called for as compared to what the NID might fund. The City's general approach was that development needed to pay its own way. There might be some other opportunities for other development in the region for funding public improvements.

Mr. Sanning asked if the NID could address Lakewood Way and how priorities would be set in terms of other areas that might ask for a similar treatment. Mr. Bushek answered that an NID could be formed in one of two ways: an election process or a petition process. It was rare for an NID to use the election option. A petition would have to be signed by owners of the property encompassing two-thirds of the proposed area. A NID petition would designate what it was going to fund and provide a list of specific improvements and of the budget. A statutory limit was set on how much the final special assessments imposed could exceed the budget amount set forth in the petition. That procedure could be applied to Lakewood Way. Mr. Sanning asked if this would likely be a priority in a community of 100,000 people. Mr. Bushek answered that it would have to be determined what the City was already planning to do in the area via its capital improvements plan and whether it included that area. If it was not, the NID could move forward. The larger the area, the more challenging it would be.

Mr. Loveless asked what the funding and payback mechanisms would be for a NID. Mr. Bushek answered that special assessments would be the funding tool. That worked much like a property tax, with the idea being that the NID would cover specific geographic boundaries. The NID petition would set forth a special assessment, including both the method and the maximum rate. For example, it might be charged on a basis of per square foot of property involved. The City could issue temporary notes for construction, with the total costs being tallied up when the construction was finished and a special assessment roll was prepared to spread the special assessments over the property within the boundaries of the NID pursuant to the assessment method that the petition set forth. The City could then issue debt, which would be repaid via the special assessment. The special assessment would appear on a property tax bill on an annual basis. It was enforceable via a lien on the property. The available options were temporary notes for construction, bonds for permanent financing, and a special assessment imposed as part of the property tax bill.

Ms. Arth noted that other applications involving apartments had raised questions about overloading public schools, and that included tonight's application. She asked if there was specific information about the impact in this case. Mr. Dunning recalled that the last time the City had looked at the student population with regard to a multi-family project it concerned 300 units at New Longview. These units had produced 12 students. Mr. Loveless recalled that this had concerned Voy Spears elementary school, and he asked if the priorities changed if the children affected were not in the Lee's Summit school district; and Mr. Dunning answered that they would not. Ms. Arth commented that quite often the new construction would have residents that were already living in Lee's Summit so the actual increase would be lower than the numbers indicated.

Mr. Trafton asked if the growth in apartment projects had been keeping up with demand, including taking demographic changes into account. Mr. Elam stated that staff had the existing demand numbers as well as demand projections and could factor in the number of units under construction, numbers approved, and numbers still conceptual. The distinction between

approved and constructed was important; and numbers would be moved from conceptual to approved after approval from the Planning Commission and the City Council. Approval did not mean a project would be done, and they could eventually expire if not done.

The actual numbers that Mr. Elam had were: demand including everything under construction was 2,142 units. Counting everything that was currently approved it was 393. Many projects had been approved via a PDP that had not been started construction yet. Counting conceptual projects including tonight's application, as well as approved and under construction, there was an overbuild of 179. In terms of base projections in the study, it had not been updated; however, staff was currently in the middle of updating the comprehensive plan and was taking a more holistic look at projections for demand and different housing types.

Mr. Trafton said that he had been reviewing the CIP of 2021-2025 and had noticed that the Lakewood Way project was not even on the horizon. That suggested that it was not in any kind of pipeline for funding. He hoped that the City was at least taking it under consideration, as something had to be done about that particular road. He noted that Lee's Summit's northern boundary did not extend as far as US 40, so there would have to be some kind of cooperation between municipalities. Mr. Park replied that Independence in particular had been part of some of the city manager conversations. US 40 was about one-fourth mile from Lee's Summit's north city limit. The capital improvement program was a five-year, fiscally constrained document and it did not include Lakewood Way. It was also not part of the fiscal commitment for the 15 year sales tax. That essentially meant no identified funds for at least the next 15 years. It would have to come from something like a no tax increase bond issue or a federal grant.

Mr. Trafton remarked to Mr. Tubbesing that the density of the units per acre in this project was less than in the last three multi-family developments approved, and he commended him on this and on the buffering.

Chairperson Funk observed that a senior living facility, which had been mentioned earlier, inevitably put a larger demand on emergency services and safety in general. This project was a 'gateway' one, but not much of it might be seen from the highway. Speaking from experience with site selection, Mr. Tubbesing remarked that the very large Kubota sign for Coleman Equipment probably had only a five percent visibility rate.

Chairperson Funk asked if the units had amenities beyond what had already been mentioned. Mr. Tubbesing answered that while individual units did have the features previously mentioned, most of the amenities were concentrated in the clubhouse area. In the current situation, it was difficult to create an area for people to congregate that felt safe.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 8:00 p.m. and asked for discussion among the Commission members.

Ms. Dial commented that she would have like to have seen single level and duplexes and triplexes on the border instead of single family homes. Also, apartment complexes with two or three bedroom units did not always have couples of families as tenants. Many of them were single people in a roommate situation. A three bedroom apartment could have three vehicles as well as three tenants. This had the potential to create a parking problem. The study on the number of apartments Lee's Summit could support through year 2027 indicated that the city was already at the limit. The City and developers needed to be aware that more apartment construction could produce an over-built situation. She also observed that with this application, the clubhouse and pool looked rather small for the size of the project overall. She would personally prefer amenities in her home such as walk in closets.

Ms. Dial also wanted the Commission and Council to be aware the existing infrastructure being

adequate when new projects went up. That would have to be budgeted in order for new development to succeed.

Ms. Arth acknowledged to the residents that apartments still did have a stigma attached. She related that she had recently sold her five bedroom home and changed to apartment living. As she had children still in the home, that had to be a three bedroom unit. For many people a house could become a burden; and she had noticed that people in apartments were often community minded and looked out for one another. She had also noticed how many people had dogs, and strongly recommended a dog park to the developer. It not only minimized dog waste in the neighborhood but also was a community draw. Her children had actually liked the apartment better than a house, especially in view of a security system.

Mr. Sanning said he had recently watched a series of hearings on an apartment complex proposed a few years ago. One of the things that had troubled him was the assertion that this was "high quality and affordable". The traffic situation on Lakewood Way did need immediate attention in terms of both safety and quality of life.

Mr. Kitchens was glad to see so much community involvement. He agreed with Ms Dial on the importance of updated infrastructure. Concerning this application, he advised Mr. Tubbesing to have some information about the interior as well as the exterior quality of the apartments. That question was sure to come up at the City Council level.

Ms. Jana-Ford commended Mr. Tubbesing and the residents, and agreed with the advice about the importance of infrastructure as well as the importance of a dog park. She suggested that a playground might also be a good idea.

Mr. Trafton noted that there was clearly an infrastructure issue that the City was aware of. He appreciated the recommendation for a turn lane off I-470, and emphasized that I-470 needed improvement and was becoming a problem. Improvement of I-470 would alleviate some of the problems on Lakewood Way as well.

Chairperson Funk related that he had visited friends at Summit Square apartments and had been impressed by the community atmosphere and amenities. He agreed with the importance of giving some attention to interior amenities at the Council hearing.

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

Ms. Dial made a motion to recommend approval of Application PL2020-210, Rezoning from AG to R-1 & RP-4 and Preliminary Development Plan, Stag's Field, 1215 NW Bowlin Rd; Stag Commercial, applicant. Ms. Kitchens 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 Dial, seconded by Board Member Kitchens, that this application be recommended for approval to the City Council - Regular Session. The motion carried unanimously by roll call vote.

a [TMP-1700](#)

An Ordinance approving a rezoning from AG to districts R-1 and RP-4 and preliminary development plan for approximately 35 acres located at 1215 NE Bowlin Rd, proposed Stag's Field, in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

Roundtable

Mr. Ryan Elam reminded everyone that the Comprehensive Plan is available for review on the

Planning Commission

Action Letter

September 24, 2020

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City's website and that there is a survey available there as well.

Adjournment

**There being no further business, Chairperson Funk adjourned the meeting at 8:16 P.M.**

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