

March 8, 2018

Planning Commission  
City of Lee's Summit  
City Hall  
220 SE Green Street  
Lee's Summit, MO 64063



FILED IN THE OFFICE OF  
THE CITY CLERK FOR THE  
CITY OF LEE'S SUMMIT, MISSOURI

DATE: 3-9-18  
TIME: 1:00 pm SL

RECEIVED

MAR 09 2018

Development Services

**RE: PL2017-234 Zoning Change from AG to RLL**

To Whom it May Concern:

I am writing to express my opposition to the proposed change in zoning for 5261 NE Maybrook Road from Agricultural to Residential Large Lot (RLL). As an adjacent property owner, I am concerned with the potential impact of such a change and would like to strongly urge the Planning Commission to reject the rezoning application.

The change from an Agricultural District to RLL is not compatible with the character of the neighborhood and the existing zoning and property uses of the surrounding area; the surrounding area is zoned Agricultural and is used for agricultural purposes—including a horse stable, a cattle ranching operation, and hay fields. The rezoning of a single parcel of land to RLL is not in conformance with the existing zoning and property uses and contravenes the purpose of the Agricultural District. As provided in the United Development Ordinance, the purpose of the Agricultural District is to “reduce the impact of urban development on rural areas” and to “conserve rural character and reduce the demand for urban services.” A rezoning of one parcel to RLL disrupts the rural character of the area, which is the reason the surrounding property owners and I moved to this area in the first place.

I am especially concerned with the lack of adequate facilities and public infrastructure to support a RLL District. It is my understanding that the applicant wishes to build a house on the lot. The property's current use as an uninhabited lot with a baseball complex already generates excessive storm water runoff, which causes large amounts of water to pool on the one lane road at the southwest corner of the baseball complex and to run over the road from that corner down to the northwest corner of the baseball complex. In addition to causing potholes, the persistent pool of water at the corner and the puddles on either side of the road create the perfect breeding environment for insects, especially mosquitoes, which are a serious health concern, not only for humans and their pets, but in an agricultural district are a serious health concern for livestock and horses. Horses are particularly susceptible to mosquito-borne diseases and parasites. What's the first line of prevention for mosquito-borne problems? Eliminate standing water, and an ounce of prevention is worth a pound of cure. Experience has taught those of us that live on this once quaint one lane road that once a house and driveway are built on that lot, it is inevitable that this existing water runoff issue and the problems it creates WILL get worse. What's that saying? Fool me once, shame on you; fool me twice, shame on me. Additionally, I understand that the applicant may have been granted permission to install a septic system to serve the property, and I am concerned that along with the pooling water, there will be a sewage drainage and/or odor

issue as well. Could we neighbors get a guarantee from the City of Lee's Summit that that will not become a problem?

As mentioned above, the property currently is uninhabited except for a baseball complex—complete with a baseball field with a permanent backstop (>\$3000), two professional foul poles (>\$3000), a permanent outfield grand slam fence (>\$2500), a small wood-framed field equipment and maintenance storage shed (>\$1000), a covered dugout (>\$500), and a ~ 80' x 35' metal pole building indoor baseball training facility (>\$50,000 excluding the cost of any training equipment that may be inside the facility)—all built by the previous owner and purchased by the new owner—the applicant. A conservative estimate of the cost of this complex excluding all the initial groundwork and the construction of infield and any indoor training equipment is \$57,500. The previous owner acquired a special use permit to use this complex as a practice field for friends and family. Since the special use permit was granted in 2009, the baseball field has consistently been used in violation of and beyond the scope allowed by the permit. Though the permit expressly requires that the field only be used as a practice field for friends and family and forbids baseball games or leagues, the field has been used for games and leagues countless times. The general public has been allowed access to the field since the special use permit was granted, which generates excessive noise and traffic in the neighborhood. The resulting heavy traffic is not supported by rural, one-lane Maybrook Road, which provides the only access to the field—nor is there sufficient parking, and of course, the construction of a parking lot will add to the water runoff problem. If the rezoning is approved, the applicant would be permitted to build a house on the same lot as the field and would no longer require a special use permit because the field would be a permitted accessory use to the residence (as is allowed in a RLL District, but not an Agricultural District). This is especially troubling because without the requirement that the applicant receive a special use permit, there will be no recourse for the neighboring property owners to contest the use of the baseball field or to ensure that the field is not used inappropriately or beyond the scope permitted by the Unified Development Ordinance. As we have already experienced the misuse of the field for years—even with a special use permit—this is especially troubling. Again, fool me once, shame on you; fool me twice, shame on me with “me” being we the neighbors and the City of Lee's Summit.

Finally, this change in zoning will negatively affect the aesthetics of the surrounding neighborhood and detrimentally impact the appropriate use of neighboring properties. This is a truly agricultural district and provides a haven of peace and quiet away from the city's more densely developed areas and I wish for it to remain so. The surrounding properties are being used for their appropriate agricultural purposes, and the change in zoning of one parcel to RLL will disrupt the agricultural, rural character of the area, as well as put a significant strain on public facilities and infrastructure in the area. For these reasons I would again urge you to deny the application. Thank you for your time and consideration.

Sincerely,



Teresa Vollenweider

**PROTEST TO APPLICATION**

Teresa Vollenweider, as owner of the real property  
(print or type name of person signing protest) Lee's Summit MO  
5201 NE Maybrook Rd 64064, hereby protests the  
(address or legal description of person signing protest)

rezoning \_\_\_\_\_ for the property  
(rezoning, special use permit, or preliminary development plan)

described in Application # PL, 2017-234

rezoning from AG to RLL

(description of application)

for the following reasons:

The proposed rezoning is not compatible with the existing zoning, is not supportable  
based on current facilities and public infrastructure available to the property, and will  
detrimentally impact the appropriate use of adjacent properties.

Signatures: \_\_\_\_\_

State of Missouri  
County of Jackson

On this 8th day of March in the year 2018, before me,

Nicole Ervin (notary name), a Notary Public in and for said state,

personally appeared Teresa Vollenweider (individual(s) name),

known to me to be the person(s) who executed this protest, and acknowledged to me that he/she executed the same for the purposes therein stated.

Subscribed to and sworn by me this 8th day of March, 2018.

Nicole Ervin  
Notary Public

My Commission Expires:  
April 6th 2019

NICOLE ERVIN  
Notary Public-Notary Seal  
STATE OF MISSOURI  
Cass County  
My Commission Expires April 6, 2019  
Commission # 15169179

\* Structure circled in black is the indoor training facility.



\*\* These structures are the covered dugout and the small wood-framed equipment and maintenance storage shed.