

**The City of Lee's Summit**  
**Action Letter - Final**  
**Planning Commission**

Thursday, September 23, 2021

5:00 PM

City Council Chambers and Video Conference

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Notice is hereby given that the Planning Commission for the City of Lee's Summit will meet on Thursday, September 23, 2021, at 5:00 pm in the City Council Chambers at City Hall, 220 SE Green Street, Lee's Summit, Missouri, 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 Wednesday, September 22, 2021, to the City Clerk at [clerk@cityoffs.net](mailto:clerk@cityoffs.net) to attend the meeting on the video conferencing platform. The City Clerk will provide instructions regarding how to attend by this method.

Call to Order

Roll Call

**Present:** 6 - Chairperson Donnie Funk  
Vice Chair Dana Arth  
Board Member Randy Benbrook  
Board Member Tanya Jana-Ford  
Board Member Cynda Rader  
Board Member Matt Sanning

**Absent:** 3 - Board Member Mark Kitchens  
Board Member Jake Loveless  
Board Member Terry Trafton

Approval of Agenda

Chairperson Funk announced that there were no changes to the agenda, and asked for a motion to approve.

A motion was made by Vice Chair Arth, seconded by Board Member Sanning, that this agenda be approved. The motion carried unanimously.

Public Comments

There were no public comments at the meeting.

1. Approval of Consent Agenda

A. [TMP-2042](#) Appl. #PL2021-183 - FINAL PLAT - Paragon Star, 4th Plat, Lots 5, 6, 7A-7C and 8; Paragon Star, LLC, applicant

A motion was made by Vice Chair Arth, seconded by Board Member Rader, that this

application be recommended for approval to the City Council - Regular Session due back on 10/19/2021. The motion carried unanimously.

B. [2021-4374](#) Approval of the September 9, 2021, Planning Commission minutes

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

Public Hearings

2. **2021-4372** Public Hearing: Application #PL2021-252 - Rezoning from CP-2 to RLL - 4871 SW Raintree Parkway; J.P. Roberts, applicant.

Chairperson Funk opened the hearing at 5:09 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Paul Roberts Jr. gave his home address as 21401 E. 34th Street South in Independence. He was representing Larry and Myrna Jones, the owners of Brush Creek LLC. This was the entity that owned the property, a tract of approximately 16 acres. They wanted to rezone the property, located east of Raintree Parkway and south of the spillway overflow from Raintree Lake, from CP-2 to RLL.

The Joneses had purchased the property in November 2013. Last spring they had approached his son, Mr. John Roberts, of Landrock Signature homes LLC, about building a home on the property. The land needed to be rezoned to a residential designation before that could happen. The Roberts had been working with the City's development staff about the rezoning since early summer. They believed that rezoning the property to RLL was compatible with both the current surrounding land uses and the city's future land use plan. The request complied with Lee's Summit ordinances that permitted single-family homes built on larger tracts of land that would have a private septic system if no feasible connection to a public sewer was available. The applicants had addressed concerns and issues that City staff had brought up.

The applicants had held a neighborhood meeting that included close neighbors, representatives of the Raintree Lake Property Owners Association, and people from nearby Lake Winnebago. Mr. Jones was not aware of any concerns or formal protest filed by neighboring residents. They had the support of the Raintree Lake Property Owners Association and he had a copy of the letter. Staff had been given a copy, and it was on the City's portal. The applicants had asked Engineering Solutions to prepare a one-lot minor plat, although it was not part of the rezoning application, and they planned to file a formal application with staff over the next few weeks. This was a requirement in applying for a building permit for a new single-family home.

Mr. McGuire entered Exhibit (A), list of exhibits 1-13 into the record. He confirmed that the applicant was requesting a rezoning from CP-2 to RLL zoning, to allow the construction of a single-family home. The property was currently vacant and unplatted. It was on the east side of SW Raintree Parkway, immediately south of the Raintree Lake spillway. The general character of the surrounding area was single-family residential, with Raintree to the west and Lake Winnebago to the east. Some large acreage undeveloped property was to the south, just outside the city limits.

The proposed rezoning to RLL was consistent with the low-density residential land use recommended by the 2021 Ignite comprehensive plan. It met the plan's objectives for being compatible with the surrounding neighborhood's character. Since the purpose for the requested rezoning was to construct a single-family home on the subject property, staff considered it compatible with the surrounding residential uses. The two Conditions of Approval required a hold harmless agreement to be "executed prior to connecting to City water (1) and that An appropriate on-site sanitary sewer system shall be permitted through

the County prior to approval of a building permit or that "a private low-pressure system may be designed and constructed to serve the lot."

Following Mr. McGuire's comments, Chairperson Funk asked if there were any public comments on this application. Seeing none, he opened the hearing for Commissioners' questions, or for a motion. There were no questions, and Chairperson Funk closed the public hearing at 5:15 p.m. and asked for discussion among the Commission members, or for a motion.

Commissioner Arth made a motion to recommend approval of Application PL2021-252, Rezoning from CP-2 to RLL: 4871 SW Raintree Pkwy; J.P. Roberts, applicant. Commissioner Rader 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 Arth, seconded by Board Member Rader, that this application be recommended for approval to the City Council - Regular Session, due back on 10/19/2021. The motion carried unanimously.

- a. **TMP-2035** An Ordinance approving a rezoning from District CP-2 to District RLL for approximately 16.25 acres located at 4871 SW Raintree Parkway 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.
3. **2021-4389** Public Hearing: Application #PL2021-279 - Preliminary Development Plan and PL2021-280 - Special Use Permit for major automotive repair - Caliber Collision, 710 SE Blue Parkway; Cross Development-CC Lee's Summit, LLC, applicant.

Chairperson Funk opened the hearing at 5:17 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Scott Ready, Project Manager for Development Services, stated that the applicant would participate in the hearing via Zoom. The company was based in Cincinnati and Greenville, South Carolina.

Mr. Todd Burnett stated that Cross Development were the engineers and landscape architects for the project. The proposed project was located at 710 SE Blue Parkway, and included a proposed Caliber Collision business in an 11,500 square foot building. It would also have auto body paint and repair shop. All of the work would be contained within the main building, which would have two overhead doors, one at the back and one on the side. The spaces toward the back of the lot shown on the plan were for vehicles that were either scheduled for repairs or that had been repaired and had not yet been picked up. The turnaround was about two weeks; so no disabled vehicles would be stored on the site for any extended period of time.

The proposed access was off SE Blue Parkway. With this particular development, a previous master plan had Lots 1, 2 and 3 developed together. This never happened with Lots 1 and 2; and at this point the applicant would have to create an access point that could have a future shared access with Lot 1.

Mr. Nick [no last name] commended staff for working with him on this application. He provided some information about how Caliber Collision operated. It was a national brand and one of the largest auto repair facilities in the United States, with over a thousand locations. Most of the repairs done were minor ones, including paint, dent, fender and auto glass repair. Many of the cars were driven to the site, although there were some flatbed deliveries. The

hours were Monday through Friday from 8:00 a.m. to 6:00 p.m., with an average of 15 employees on the site and 4 to 6 customers per day. The latter would include one or two drop-offs, pick-ups and estimates.

Following this presentation, Chairperson Funk asked for staff comments.

Ms. Nelson entered Exhibit (A), list of exhibits 1-16 into the record. She displayed an aerial zoning map of the area, with the proposed location circled in blue. The entire area to the east and west had commercial zoning, with Planned Industrial [PI] directly to the north and residential development to the northeast.

The subject property was 1.3 acres, with a building area of 11,580 square feet. The proposed parking was 64 spaces plus two ADA spaces, for a total of 66. Ms. Nelson then displayed elevations of the buildings, noting that materials were EIFS, stucco, stone and concrete. Major automotive repair was allowed in CP-2 zoning, with a Special Use Permit. The applicants had requested a 30-year term, which was consistent with those previously approved for similar uses.

In this application, the applicant would need to address four conditions. Outdoor storage had to be in the rear of the property, with screening. This would most likely be medium impact screening with "a mix of shade, ornamental and evergreen trees, along with shrubs." The business would also have a decorative iron six-foot fence. All work had to be done indoors in the proposed buildings. No noise, odors or fumes could be detected outside the building. To accomplish this, Caliber Collision used "a prepackaged paint booth system located in the proposed building's interior." It included ventilators and a filtration system; and met both Federal and State regulations for containing odors and fumes within the building. The applicant had already explained that the doors would remain closed except when a vehicle was entering or exiting the building.

Ms. Nelson gave some details about the neighborhood meeting on September 2nd. Of the six people attending, two did not ask any questions or express any concerns; and one was attending just to get some information. Two attendees asked how far east the development would be; and one person said he had wanted to start a similar paint and collision repair business on the subject property, but was denied by the City. He wanted to hear more about the process.

Ms. Nelson cited two Conditions of Approval. Condition One required the development to follow the preliminary development plan; and Condition Two granted a Special Use Permit for a 30-year term.

Following Ms. Nelson's comments, Chairperson Funk asked if there was public comment on this application. Seeing none, he then asked if the Commission had questions for the applicant or staff.

Regarding the elevations Commissioner Benbrook noted that the City had requirements for breaks in a building's facade. He asked Ms. Nelson what the regulation specified for distance between the breaks. She replied that the UDO did not state this specifically but rather required four-sided architecture with offsets. Commissioner Benbrook said that he had seen vertical offsets but no horizontal ones; and the buildings looked rather square. Mr. Soto confirmed that the UDO did not specify how many breaks a facade needed, or how far apart they had to be. Staff had inquired about what projections and offsets the main building would have. This project's design professionals had indicated that the pilasters and the base were offset about six inches to provide a shadow line.

Commissioner Benbrook commented that the outside storage in the back looked on the plan like a trash enclosure. He asked what was being stored. Ms. Nelson pointed out the trash

enclosure on the plan. The gate was basically additional security for the stored cars.

Commissioner Benbrook noted that the plan showed underground detention for stormwater at the north end of the building. Mr. Burnett confirmed that this was correct. Commissioner Benbrook continued that the landscaping was in that same location, and asked if a potential problem existed with trees in particular being close to that underground detention. Mr. Burnett acknowledged that this was difficult to see on the landscape plan; but they had located all the landscaping to the north of the detention system. No plantings were proposed for that particular location.

Chairperson Funk noted the mention of the facility having about 15 employees and 4 to 6 customers a day. He asked why the applicant wanted 66 parking spaces. Mr. Burnett replied that as many of 50 cars were in the storage yard. In a two-week period there was some overlap between customers and the number of cars in the back increased. However, these were minor repairs it was a parking lot and not a lot to store vehicles. The gate was open during all business hours and was closed only after hours. Chairperson Funk asked what was the need for 66 parking spaces in view of the number of customers and employees. Mr. Burnett responded that on any given day there could be a dozen cars in the building and 30 to 40 cars in the storage yard.

Commissioner Jana-Ford noted that if she was looking at the building, with the street behind her, she would see the two handicap parking spots and the side entrance to the building; with a swath of pavement to the right that reached to the property line. Mr. Burnett said that was the cross-access to Lot 3, which was originally the main lot of the development. An existing access easement had been platted along with the property; and they had extended the pavement to allow for future cross access if necessary. Commissioner Jana-Ford asked what they would do with that piece of pavement, should a future owner of the adjacent land did not want cross access. Mr. Burnett did not think it would look any different than it did at present.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:35 p.m. and asked for discussion among the Commission members.

Chairperson Funk said that for him the issues were the 30-year term for the Special Use Permit, as well as the necessity for 66 parking spaces. Commissioner Arth's concern about the parking was the increase in impervious coverage.

Commissioner Sanning commented that the Commission had discussed 30-year Special Use Permits in the past; and he wondered why the Commission approved it on the basis of having done the same thing before.

Hearing no further discussion, Chairperson Funk called for a motion, suggesting including reducing the number of parking spaces.

Commissioner Arth made a motion to recommend approval of Application PL2021-279, Preliminary Development Plan and PL2021-280, Special Use Permit for major automotive repair: Caliber Collision, 710 SE Blue Pkwy; Cross Development-CC Lee's Summit, LLC, applicant, including a suggestion that the number of parking spaces on the preliminary development plan be reduced. Commissioner Rader seconded.

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

Regarding the number of parking spaces, Commissioner Sanning asked if City staff could provide a recommendation as to the number, or some alternative. 'Fewer' was not very

specific. Commissioner Jana-Ford asked to reduce the impervious coverage with an alternate type of pervious coverage. Commissioner Arth asked what the UDO required for parking, and Chairperson Funk replied that it would be 36, with two handicap spaces making it 38.

Mr. Burnett stated that there was any way to reduce the minimum to 50 spaces that the client required as a minimum. The maximum had been a little over 60. Commissioner Benbrook noted that there was double parking on the east side of the building; and if that was changed to single parking it would eliminate 10 parking spaces. Further, the impervious surface could be reduced considerably if the connecting drive was eliminated.

Chairperson Funk asked Mr. Bushek if the Commissioners could ask questions to staff while they were in discussion over the motion, and Mr. Bushek answered that they could.

Chairperson Funk asked staff if installing the connecting drive, with its addition of paved surface, was necessary or something the City was requesting; or if it was a matter of granting a right-of-way. Mr. Soto explained that at the time these three lots were platted, they were required to have cross-access in order to meet access management requirements. This would, include reducing the number of driveways and curb cuts along Blue Parkway.

That one drive had stubs from both the west and east, to accommodate future development. It was possible to reduce some of the pavement to the west until such time as it was needed. Typically it would be extended all the way to the property line as part of this development; but a major question was who would pay the cost of making that connection beyond the confines of the lot to the west. Staff could craft some language pertaining to who would be responsible for filling the gap.

Regarding the 68 parking spaces, Chairperson Funk said he would look for an opportunity to reduce that to 50, in order to balance meeting parking needs with providing green space.

Commissioner Jana-Ford asked if the Commission would have the opportunity to see the changes made. Mr. Soto answered that the only way they would see changes would be if the Commission chose to continue the application to a future date. If a recommendation was made tonight, the application would move on to the City Council.

Mr. Johnson said that he was hearing from the Commission about a desire from the Commission to reduce impervious surface; and from the applicant about concern over losing some parking. He asked if the Commission would consider using some kind of pervious pavement instead of eliminating any parking. Chairperson Funk asked the Commissioners if they would be interested in this approach.

Commissioner Jana-Ford said her main concern was not increasing stormwater runoff. The City was trying to include more pervious pavement in its approach to water management, and this would be an opportunity for the City to do that. Commissioner Rader agreed, and Chairperson Funk asked if the applicant would consider including pervious pavement in this project. Mr. Ready said that he was open to that.

Mr. Burnett noted that Caliber was down to 51 storage spaces, which was their minimum. If they had to lose parking, the row of seven spaces in front and the spaces outside the fence would be the best choice; as that would not limit their production or their ability to operate the business with the minimum 50 cars in the storage area. They did not need a lot of customer area. For him the question was whether reducing the parking by seven spaces and possibly some of the access would achieve the goal they were going for. In terms of stormwater management and impervious pavement, the stormwater system met the current ordinance and the flow off the site was not being increased.

Mr. Burnett added that their office in Greenville had pervious pavement in the parking lot, and

it did not work very well. It had to be cleaned regularly and the surface could not handle heavy rains. If the goal was a low-impact development, there were other approaches to take, especially in an industrial/commercial area like this, with both cars and trucks coming and going regularly.

Chairperson Funk remarked that it appeared the Commission was not interested in any type of pervious pavement. He was in favor of moving the application forward and retaining the minimum 50 parking spaces in the storage area, and possibly creating a little more green space.

Chairperson Funk then asked Mr. Bushek if they needed to strike the original motion. Mr. Bushek said they had two options. One would be to withdraw the original motion and then make a new one; and the other would be to just amend the original motion.

Commissioner Arth made a motion to amend the motion currently on the floor for Application PL2021-279, Preliminary Development Plan and Application PL2021-280, Special Use Permit for major automotive repair: Caliber Collision, 710 SE Blue Pkwy; Cross Development-CC Lee's Summit, LLC, applicant, to substitute "50 instead of 68 parking spaces" for "reducing the parking spaces". Commissioner Rader seconded.

On the motion of Commissioner Arth, seconded by Commissioner Rader, the Planning Commission members voted unanimously by roll call vote to approve amending the original motion, substituting "50 instead of 68 parking spaces" for "reducing the parking spaces".

Chairperson Funk then asked for a motion to approve Application PL2021-279 and Application PL2021-280 as amended

A motion was made by Vice Chair Arth, seconded by Board Member Rader, that this application be recommended for approval to the City Council - Regular Session, due back on 10/19/2021 with the condition that the parking count be reduced from 68 stalls to 50 stalls. The motion carried unanimously.

- a. **TMP-2044** An Ordinance approving a Preliminary Development Plan located at 710 SE Blue Parkway, proposed major automotive repair in district CP-2, 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
- b. **TMP-2045** An Ordinance approving a Special Use Permit for major automotive repair in District CP-2 (Planned Community Commercial District), located at 710 SE Blue Parkway for a period of thirty (30) years, 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.
4. **2021-4409** Public Hearing: Application #PL2021-283 - Preliminary Development Plan - Summit Park Church - building and parking lot expansion, 425 SW Oldham Parkway; Summit Park Church, applicant.

Chairperson Funk opened the hearing at 5:52 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Commissioner Sanning stated to Mr. Bushek that this applicant had been supportive of different elements of his employer, and asked if he would need to abstain or recuse himself. Their congregation had been generous with in-kind donations for the Christmas program. Mr. Bushek recommended that Commissioner Sanning from participating in this hearing.

Mr. Jeremy Needham, Operations Director at Summit Park Church, gave his address as 312

Stonewall Court in Independence. He asked if the Commission still had a quorum, since Commissioner Sanning was abstaining, and Chairperson Funk answered that it did. Mr. Needham related that Summit Park Church had been established in 2013 at Harris Park. They had outgrown this and two other locations since then; and had decided in 2019 that they needed more space. Eventually they merged with Lee's Summit First Church, and were currently remodeling the space and bringing both campuses back together.

Mr. Kimball Hales, of Finkle Williams Architecture, gave his address as 7818 Allman Road in Lenexa, Kansas. He displayed an aerial view of the existing church, which they were currently renovating and updating. The view was from US 50 looking south and southeast. Mr. Hales noted that there was a noticeable slope and detention area. The displayed site plan showed the existing parking and the footprint of the existing church. They planned to eventually add an auditorium with seating for about 1,200 people. A retaining wall was used to level some of the parking area, with the detention underground. The plan would provide about 400 parking spaces. What was labeled "Phase 2" was an atrium and gathering space, which was necessary for moving that many people in and out of the auditorium. Because of the slope, they were considering putting additional parking below the footprint shown on the plan.

Another aerial view showed parts of the church being renovated or expanded in blue. These included a 2,500 square foot chapel for children, some small modifications to the roof and a new entry at the southeast corner. The view also showed the proposed footprint of the church. It had not been fully designed, but had been planned with adequate space as well as parking. They were requesting a new curb cut off Oldham Parkway and would take out one on Allendale Street on the east. At this location was a very steep driveway that ran through the church property; and they hoped to bring more traffic in off of Oldham Parkway. That would leave one curb cut on Allendale, one on Oldham and one on Lakeview.

The church had already purchased the property to the east which had formerly belonged to the Unity Church, and as well as a color rendering of the future Summit Park Church building. They wanted to do the site improvements as soon as possible, in order to have additional parking for the existing building.

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

Mr. Soto entered Exhibit (A), list of exhibits 1-14 into the record. He displayed a view of existing conditions and the zoning of the subject property. It had split zoning, with most of the north portion zoned RP-3 and the rest, which was adjacent to the residential subdivision to the south, zoned RP-2. The building across the street and to the east that the church had recently acquired was zoned PO (Planned Office).

The property was about 8 acres, and the existing building was 33,000 square feet, with about 245 parking spaces. The expansion would be in three phases, with the map showing Phase 1 in green. The 150-space expansion would ring the ultimate build out for the church campus. Phase 2, the vestibule portion indicated in blue, was about 9,000 square feet. The purple colored portion would be 23,000 square feet. The campus would be a total 65,000 square feet, with 395 on site parking spaces. The next displayed image showed the existing building to the east, with about 75 parking spaces available for use across the street. The church had access to a total of about 470 parking spaces.

Mr. Soto then displayed some elevations, listing the exterior materials to be used as brick, aluminum composite metal, glass, brick and EIFS, along with some exposed concrete. Some engineered wood accents would also be used. The use of the architectural metal ranged from 52 percent on the north elevation and about 7 percent.

One modification was requested for the parking lot setback from Oldham Parkway. The minimum setback was 20 feet; with the proposed parking lot set back about 15 feet from the



right-of-way. Mr. Soto remarked that these types of modification were common for both new construction and redevelopment for a number of sites along M-291 and the US 50 corridor, where the existing MoDOT right-of-way was fairly expansive. In some locations a parking lot would be built right up to the property line, which would be a setback of zero. Despite that, between 50 feet and 70 feet of green space was between the parking lot boundary and the pavement for the adjacent travel lanes on the frontage road. About 70 feet of separation was between the pavement for Oldham Parkway and the parking lot. Accordingly, staff supported the modification to allow the reduced setback along Oldham Parkway.

From a compatibility standpoint, the church building was built in 1988. Churches were allowed in all zoning districts; and often served a spatial and transitional use, or a buffer between the US 50 corridor and residential development to the south. The landscape plan showed a significant tree line between the church property and the adjacent residential subdivision. At present there was a lot of construction due to the exterior renovations that were happening; but on this site some of the understory growth beneath the trees had been cleared out. The plan did call for some planting in strategic locations here and there. A considerable amount of additional landscaping would be installed after the Phase 1 parking expansion was done, especially along the Oldham Parkway frontage.

Staff had provided three Conditions of Approval. Condition 1 allowed for the modification to the parking setback.

Following Mr. Soto's comments, Chairperson Funk asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he opened the hearing for Commissioners' questions.

Commissioner Jana-Ford asked if the questions were expected to be about the parking lot expansion and not about the building itself. Mr. Soto answered that it could be any question pertaining to either. Commissioner Jana-Ford noted that ADA parking was included, and the layout had some ADA spaces that were associated with the future entry, and a new one on the southwest. She asked why it was there rather than at the future entry of the proposed larger building. Mr. Hales explained that the blue zone indicated had an entry on both sides. It was a basically a large foyer that ran along both sides. This was the closest place to put an ADA spot that was close to both the front and back doors. Commissioner Jana-Ford asked if that was the image he had displayed with the wide stairs, and Mr. Hales answered that it was.

Commissioner Benbrook noted to Mr. Hales that he had originally mentioned having underground stormwater detention, and asked if there was a proposed location. Mr. Hales referenced the darker shaded area that indicated part of a floodway. The detention area was marked by a purple box, with the underground detention being underneath the northwest bank of parking. That was a low spot on the site, and was adjacent and parallel to the floodway. It was actually under the Phase 1 parking area.

Commissioner Benbrook then noted that Mr. Hales had also mentioned needing underground parking below the proposed building; and Mr. Hales responded that it was not exactly needed but he hoped that including it would be affordable, as there was a major grade change. One option was to create walls that would suspend the slab of the auditorium itself; so church members could park underneath the building. They had a potential 30 or 35 spaces underneath the building. Having an office building nearby would provide about 75 spaces that could provide some convenient parking on Sundays.

Commissioner Benbrook was somewhat concerned about having just one exit from the parking to Oldham Parkway. It could be a situation where a couple of hundred cars all leaving at the same time on a Sunday morning when services ended. It might create a situation where a lot of traffic would go through the residential areas at one time. He asked if the applicants had looked for options. Mr. Hales said they had not, but the church would probably be willing to

consider it. Since most of the parking was on the southwest side, there were two exits, one leading to Lakeview and the other to Allendale. He also pointed out that there were no houses from the point of exiting to Oldham Parkway. He was not overly concerned about 400 cars, but did not think there would be opposition to adding two curb cuts. It was important to maintain a certain separation distance from the Allendale curb cut to the church's curb cut.

Mr. Soto noted that Oldham Parkway was under MoDOT's jurisdiction. At present, the distance between Allendale and Lakeview was about 740 feet; and MoDOT's minimum separation requirement was 300 feet. They were splitting that difference, so there was an approximate 350 feet of separation for both streets once the new drive went in. An additional driveway access would not meet the separation requirements for either the City or MoDOT.

Chairperson Funk asked for some clarification about the phases. It looked like the applicant just wanted to build a very large parking lot. Mr. Hales related that when he had initially spoken with the church's leadership, the idea was to renovate the existing building so that they could resume meetings and church services as soon as possible. They hoped that this would be by the end of this year; although now early next spring looked more likely. In that scenario they would not have the entire parking lot finished by that time; but they wanted to finish the parking on the northeast side, from the Oldham curb cut to the existing parking. The rest of the parking, plus the atrium and auditorium, would be Phase 2. With the existing building, they would have the 240 existing spaces, about 60 new spaces from the Oldham curb cut to the east parking lot. Other parking was available across the street.

Chairperson Funk asked if it was accurate that they would not complete the rest of the parking lot until they started developing the other buildings. Mr. Hales confirmed that the existing parking would be left as is until that point.

Commissioner Jana-Ford said she was looking at the lighting plan for the church, and asked if they had a lighting plan for the parking. Mr. Hales answered that they had done preliminary photometrics, but the lighting would be basically meeting the light levels at the property line. The poles would have full cut-off heads.

Chairperson Funk asked if there were further questions for the applicant or staff. As there were none, he closed the public hearing at 6:15 p.m. and asked for discussion among the Commission members, or for a motion.

Commissioner Arth made a motion to recommend approval of Application PL2021-283, Preliminary Development Plan: Summit Park Church, building and parking lot expansion, 425 SW Oldham Pkwy; Summit Park Church, applicant. Commissioner Rader 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 Arth, seconded by Board Member Rader, that this application be recommended for approval to the City Council - Regular Session, due back on 10/19/2021. The motion carried by the following vote:

**Aye:** 5 - Chairperson Funk  
Vice Chair Arth  
Board Member Benbrook  
Board Member Jana-Ford  
Board Member Rader

**Absent:** 3 - Board Member Kitchens  
Board Member Loveless  
Board Member Trafton

**Abstain:** 1 - Board Member Sanning

- a. TMP-2051** An Ordinance approving a preliminary development plan for the proposed Summit Park Church building and parking lot expansion, 425 SW Oldham Parkway, 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.
- 5. 2021-4377** Public Hearing: Application #PL2021-282 - Rezoning from AG to RP-1, RP-4 and CP-2; and Preliminary Development Plan - Blue Parkway mixed-density residential development, 2840 SE Blue Parkway; Griffin Riley Property Group, applicant.

Chairperson Funk opened the hearing at 6:17 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Dan Foster, with Schlager and Associates, gave his address as 14920 W 107th Street in Lenexa, Kansas. He was representing Griffin Riley Property Group, the applicant. Also present were Mr. Garrett Wilson of NSPJ Architects; and Ms. Anne March, from the law firm of Rouse Frets White Goss Gentile Rhodes, who was participating via Zoom. A displayed slide showed the project's location at Blackwell Road and US 50. It was at the edge of Lee's Summit, with the property's east boundary line being Lee's Summit's east city limit. The property was also just south of the elementary school, with the rest of the ground to the east being unincorporated property.

Mr. Foster then gave some background. They had consulted the Comprehensive Plan about land uses. They had also reviewed the site conditions, as well as Lee's Summit's transportation network, particularly collector streets and access points to the property. They had also met with staff to get information and guidance about the best land use, and had met with the neighbors before preparing the plan. That was in addition to the required official neighborhood meeting. Mr. Foster added that this plan followed the boundaries drawn by the Ignite comprehensive plan for various land uses. The applicants would follow the densities, boundaries and various land uses in that plan.

Discussions with City staff had included items that the applicants were to focus on, such as improving drainage along Mill Creek, providing open space and seeking neighborhood feedback. When they discussed the project with the neighbors, the neighbors had looked to the Comprehensive Plan about the appropriate land use. They wanted a 'Class A' apartment product, access control through the community, reducing the use around the school including the height of the construction on the adjacent property to the north, and retail connectivity. Another topic brought up at the meeting was traffic, specifically truck traffic along Blue Parkway.

Mr. Foster then displayed a map showing the subject property and surrounding area, showing commercial use and two high-intensity residential uses. A video showed the plan's general concept including a retail center and single-family homes. About 30 percent of the site was open space and green space; about three times the required amount. The video showed the pool and clubhouse, the luxury apartments and senior housing. Mr. Foster pointed out that the Comprehensive Plan specified higher-density residential uses. The 2018 plan had also showed retail on the corner; and staff had agreed that this was an appropriate use. Single-family housing was on the west side.

As the transportation plan had indicated, some improvements to Blue Parkway were needed. They would also need to construct a collector street through the site as well as other public streets. The rest of the site consisted of medium-density residential use; and single-story

housing for seniors on the east side.

These features, the street and the drainage all created different areas on the plan in terms of being able to have changes in the development pattern. Of the three detention areas, one would take care of most of the apartment area as well as being an amenity feature. The and the other two would serve the townhomes and single-family development. The basin for the retail use drained toward the southwest and would not only provide detention but also additional setback and buffering options from the adjacent residents to the retail building. That was in addition to the required landscape buffer they would provide along that edge.

Access to the site would be via the planned collector street, with the apartment community also having access off Blue Parkway. The retail development would have access off Blue Parkway as well. The top of the market options in this particular mixed-use development were modern design, premium exterior finishes including stone, Masonite panels, James Hardie siding as well as premium vinyl and wood composite LP SmartSide siding. All the single-family lots would have public street access, and the townhomes would have a public street with internal private streets as well as green spaces.

The retail building would be 37,955 square feet. Access would be from Blue Parkway, as well as from the northwest corner, as required for fire access. Stormwater detention was provided at the southwest corner; and landscape buffers were provided as the UDO required. The apartments would be at the southeast corner, adjacent to Blue Parkway. The idea was that the apartments would be around the lake, which was the central amenity feature. Garages would be "tuck under" garages plus some freestanding garages on the perimeter.

The townhomes and senior housing would be in the northeast corner, and would have connecting pathways. This project would have an 'amenity corridor', with the front doors facing the green spaces. The single-family lots in the center would have access off a private alley and those on the perimeter would be accessed from the street. A modification was requested for lot width and size. A buffer would be provided along the west and north boundaries. Mr. Foster then played another video showing an existing project, the Residences at Echelon with similar finishes and amenities.

Mr. Foster emphasized that the site plan followed the specific standards of the 2018 Comprehensive Plan and the 2021 Ignite Plan. It also met and exceeded the list of requests that the neighbors had presented. The proposed project would have modern architecture with durable quality materials, extensive amenities and social opportunities. The plan also focused on walkability and connectivity for pedestrians. The applicants agreed with the Conditions of Approval in staff's report.

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

Mr. McGuire entered Exhibit (A), list of exhibits 1-18 into the record. He related that the subject property, and those to the south, had formerly been used for agriculture. The property to the north was zoned R-1 and was currently developed as an HOA pool and common ground; as well as an elementary school. The Highland Park elementary school building was about 335 north of the proposed project's property line.

The applicant wanted to rezone the 62.4 acres for single-family homes (12.46 acres), townhomes (24.55 acres), multi-family units (19.21 acres) and retail/commercial use (6.18 acres). This would be rezoning from AG to RP-1, RP-4 and CP-2. The development would have a total 78 single-family homes, 113 townhomes and 252 multi-family homes with the addition of a clubhouse, plus one commercial lot and three common area tracts. This application was also functioning as a preliminary plat, which was allowed by the UDO.

For the single-family homes, the applicants were requesting 78 lots with 6.18 homes per acre.

The lots would be a minimum 4,000 square feet with a 40-foot minimum lot width. The proposed building materials would be similar to existing residential subdivisions in the metro area. Those materials included stone veneer, LP SmartSide lap siding and panel siding, and composite shingle roofing. For the townhome portion, the applicant proposed 113 units with a density of 4.6 units per acre. Parking would be a total 257 spaces. The townhomes would have the same building materials as the single-family homes. Parking would be a total 519 total, with 510 required by the UDO.

For the 19-acre multi-family portion, the applicant proposed 252 units with a density of 13.12 units per acre. This was slightly above the UDO's maximum 12 units per acre. Lot size per unit would be 3,300 square feet, a little less than the 3,500 square foot minimum in the UDO. The floor area ratio (FAR) was .17. Unit types would include 24 studio apartments, 132 one-bedroom units, 77 two-bedroom units and 24 three-bedroom units. The apartment buildings would have stucco, stone veneer and lap sided, with metal and composite shingle roofing.

Mr. McGuire then gave some information about the commercial portion of the project. The applicant proposed a 37,955 square foot commercial building. Proposed building materials for the commercial building would be EIFS, stone veneer, ACM panels and wood composite siding. The proposed use of ACM panels was consistent with the contemporary architecture design of commercial development. It was also used for schools, government buildings and churches. Previous approvals for these panels as a primary building material included several car dealerships, churches, the City's water utilities building and the recently approved public library projects. Staff supported the use of these panels.

The applicant was requesting some modifications. For the R-1 zoning district, the modification would be to the density, lot width and minimum lot size. To meet the demonstrated market demand for more obtainable housing product, these homes would have a narrower floor plan. That design would require a more narrow lot. The proposed housing product met the Comprehensive Plan goal for providing diverse housing types to meet changing housing needs. For this reason, staff supported the modification.

The applicant also requested a modification to the maximum density and minimum lot size for the proposed multi-family portion. This request was similar to other multi-family projects that had been approved; and staff's letter gave some details on recently approved projects including Stag's Field. Staff also supported this request.

The next requested modification was to the landscaping, specifically caliper size and height of the trees. The minimum caliper was 3 inches, with the modification allowing a minimum 2.5-inch caliper for shade trees and 2 inches for ornamental trees. Evergreen trees would be a minimum 6 feet tall. Staff supported these reductions, as best practice for landscaping indicating that smaller sizes of trees were more adaptable and had a higher rate of survival than larger trees. Staff intended to include changes to the minimum tree size requirement as part of a future UDO amendment. Modifications for size requirements had been approved as part of previously approved preliminary development plans.

Regarding the landscape buffer, the UDO required a high-impact buffer of this kind to be located abutting the property line. Staff requested a modification to allow for the buffer to be set back from the property line. This was due to a conflict with the existing electrical easements that ran the length of the north and west property lines. The alternative placement would avoid conflicts with the future maintenance of utilities in the easement; and for that reason staff also supported this modification.

The applicant proposed to reduce the required parking lot setback on the commercial portion from 20 feet to 18 feet. The applicant wanted to maximize the available parking on site, and this would be adjacent to the proposed new collector street as well as the parking lot of the

proposed apartments. Staff supported this modification.

The 2021 Comprehensive Plan's land use map identified this site as "Residential Category 2" and "Residential Category 3". It had established the goal of creating and maintaining a variety of housing options, styles and price ranges. A policy recommendation of the adopted plan recommended allowing small lot development, to increase density and the availability of affordable housing stock. For these reasons, staff found that the proposed development met the specified goals and objectives of the Ignite plan.

The proposed development and land uses would follow the recommendations for future land use map associated with the 2021 Ignite Comprehensive Plan. This plan sought to achieve a high quality living environment by providing diverse housing types, in order to meet the changing housing needs. The proposed single-family homes and townhomes were compatible uses and were similar to uses on adjacent properties. The Comprehensive Plan encouraged developments that integrated diverse housing types and styles; and by effectively integrating multi-family residential and minimize negative impacts that multi-family development might have. By locating the apartments by US 50 Highway, the development acted as a buffer and a transition into the single-family neighborhood to the north and west.

The project had 11 Conditions of Approval; and Mr. McGuire stated that he could answer questions. He concluded that the application met the requirements of the UDO and the Design and Construction Manual.

Chairperson Funk asked Mr. McGuire and Mr. Soto if they had received any public comments on the application. Both stated that they had not. Chairperson Funk then asked if the Commissioners had questions for the applicant or staff.

Commissioner Arth asked Mr. Foster what was the square footage for the single-family homes and the townhomes. Mr. Foster replied they were about 1,250 for the two-bedroom and three-bedroom houses and the townhomes were about the same size. He added that most of them would have two-car garages. He was not sure if they would have basements.

Commissioner Arth remarked that she liked the lakes in the northeast corner near the townhomes. She asked if they would be stocked with fish, and Mr. Foster answered that some of that would happen naturally but they might also be stocked. Commissioner Arth then asked if the amenities at the apartments would be available to the single-family homes and townhomes. Mr. Foster explained that there was a separate amenity area, but the townhome area did have a separate clubhouse. Commissioner Arth then asked how many additional children from this development would be attending Lee's Summit schools. Mr. Foster did not know the exact projection, but recent applications had indicated that it would not be a high number.

Commissioner Benbrook asked if the townhomes and single family homes would be for sale or rent. Mr. Foster answered that this was essentially a rental project. Commissioner Benbrook remarked that due to the reduced lot size, the single-family homes would not be likely to have fenced yards. Mr. Foster replied that as the landscaping was provided to residents, fencing would not be provided. Commissioner Benbrook asked about the phasing, and Mr. Foster answered that phasing for this particular project would be challenging. That was partly due to the infrastructure. The sewer service would come from the north, for example. They would probably had to do considerable grading in order to the extend the utility infrastructure. However, in terms of product, the multi-family portion would be done first; but it in what order the single-family homes, senior housing and townhomes would go in was not yet clear. Some of this was due to financing.

Commissioner Benbrook remarked that the proposed finishes, sizes and styles seemed to indicate a more premium product; and asked if this would apply to rental housing. Mr. Foster

replied that it would, and they were definitely planning high end finishes and quality architecture. Commissioner Benbrook asked if all this would be maintenance provided and Mr. Foster answered that it would, since the housing would all the rentals.

Commissioner Jana-Ford remarked that a recent trend for flexible durations of rents, and asked if that would be considered for this project. Mr. Foster answered that there would be various terms within set guidelines. Potentially that means different lengths of time, as long as these met fair housing requirements. Commissioner Jana-Ford asked if the single-family homes would also have maintenance provided, such as lawn mowing; and Mr. Foster answered that they would. She asked if the apartments would have elevators, and Mr. Foster replied that they would. He added that the site sloped west to east and it was a fairly substantial grade change. The buildings would be used to step down that grade as well as provide a good view from the upper stories, which was likely to attract residents. The apartments would be key card accessible.

Commissioner Jana-Ford asked if there would be any ground floor units. Mr. Foster answered that due to the grade change, the basements would form the first story in some units due to the grade change. Commissioner Jana-Ford then asked about access to the two clubhouses, and Mr. Foster said the clubhouse close to the apartments would probably have a leasing office. Both the clubhouses and pool would be used only by residents.

Concerning the retail building, Commissioner Jana-Ford asked if it had prospective tenants at this point. Mr. Foster answered that they did not but planned to look for commercial tenants. Some could occupy more than one bay in the commercial building.

Commissioner Sanning noted to Mr. McGuire that there had been numerous conversations about continuity between various developments in terms of appearance and style. This development looked somewhat different, and he asked if there had been any feedback from the public or the City about compatibility with nearby developments. Mr. McGuire said he had not had any conversations with the general public regarding the architectural style of the proposed buildings. The materials were similar to, and compatible with, more modern subdivisions but he had not heard any complaints. Commissioner Sanning then noted a mention that this project provided more attainable housing; and asked if that was based on aspects such as volume or price. Mr. McGuire answered that 'attainable' was partly based on the smaller footprint, as smaller homes were cheaper to build. In that context it would be more attainable to a larger portion of the community.

Commissioner Sanning asked what the price ranges would be, and if it was correct that the townhomes and single-family homes would be 1,200 to 1,500 square feet for both the townhomes and single-family homes. Mr. McGuire answered that this was correct. Mr. Foster then replied that overall, rents would range from \$1,400 to \$2,800.

Commissioner Sanning asked if Mr. Foster had held any conversations with the school district. Mr. Foster answered the increase for schools was not anticipated to be a problem. Part of the reason for this project being rentals was to interest people who had just moved to town or were transitioning to a smaller home. There was a market for this particular product, and it was becoming more common. Commissioner Sanning complimented Mr. Foster on his attention to due diligence with this application.

Commissioner Rader noted to Mr. McGuire that staff's report included a graph on overall demand. It indicated that the total supply was 7,744 for existing, under construction, approved and conceptual. She asked how that played out with the goal of 6,776 for the year 2027. Mr. Elam displayed the chart and explained that it was developed after the 2017 housing market needs assessment that had been contracted out via VSI. The study had looked at market rate demand associated for a ten-year projection. It was not a goal, but rather market research.

The 2027 overall demand of 6,776 units was the estimated demand for market rate, class A multi-family rental housing across the entire community. At that time, the existing supply was 2,304, plus units that were under construction and others that had been approved, with zoning obtained but no construction had started yet. All the existing modern units, units under construction or that had been approved were combined for a supply number of 4,447. When supply was subtracted from demand, the result was an unmet demand of 2,319 units. This was all based on the 2017 study. Lee's Summit had more construction going on since then; so they had carried down the overall demand and the result showed that the supply of existing modern units had increased by almost 2,000 since the study was done. That meant a figure of 4,317 instead of the previous 2,304.

Currently, about 338 units under construction, for a final sum of 4,655 of currently available units that were available or would soon be available. Additionally, 2,351 units that had been approved but construction had not yet started. There was no guarantee that these would be completed. The conceptual figure was 738, meaning various proposals for that number of additional units throughout the community, including the units in tonight's application. All these combined yielded a total of 7,744. The net demand comparison looked at demand numbers minus the different categories; and this indicated an excess demand of 2,459. That demand minus both existing units plus those under construction still showed an excess demand of 2,121. If everything that was currently approved was under construction or open, the sum would be 230 over the projected demand. When conceptual projects were included, the figure would be 968.

Commissioner Rader asked if this meant that Lee's Summit had an under-supply of about 2,000 units at present, and Mr. Elam answered that it was, after the calculations were done. It would be a 2,121 units in excess demand.

Commissioner Rader remarked that she was a real estate agent and there were plenty of people looking to buy homes. She asked Mr. Foster if there was a possibility that these rental units in the project could eventually be sold at a price affordable for most people. Mr. Foster answered that based on current discussions with the applicants, these were likely to remain rentals. Other products had been approved recently in the same size range and these would be for sale. The rental housing in tonight's application would remain a product that was needed. He added that there was no apartment community of this nature in this part of the metro area. Commissioner Rader commented that a major reason for the demand being met was that people found it difficult to find homes to buy and so decided to rent.

Chairperson Funk noted to Mr. Foster when he was talking about the over-50 part of the townhomes, it sounded like these would be a rear entry. Mr. Foster clarified that the units' front doors would be in the green space, so tenants would be inclined to enter through the garage. Guests would walk from the parking space and walk between the units to the front door. Front doors facing green space was becoming popular.

Commissioner Jana-Ford asked if the units would be pet friendly. Mr. Foster answered that many of them would.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 7:15 p.m. and asked for discussion among the Commission members.

Commissioner Benbrook remarked that he he had been seeing a troubling pattern in Lee's Summit that many people who grew up here could not afford to stay. They were essentially priced out of the market. He considered the housing in this application a good product and it probably did meet a demand; but he was becoming concerned about where the city was headed. He knew several young families who had been living in Lee's Summit but had moved



to other communities, such as Blue Springs or Harrisonville, because they could no longer afford to live in Lee's Summit.

Commissioner Arth stated that the Planning Commission had previously seen an application for a project on this same piece of property, and some neighbors who were opposed had attended. That had not happened with this application; and that said a lot about their comfort level. The top rent of \$2,800 seemed high; so she did share Commissioner Benbrook's concern. She intended to recommend approval. Chairperson Funk agreed, and said he liked the concept. Commissioner Rader said she would have liked the housing to be for sale rather than rentals, but she also intended to vote for approval.

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

Commissioner Arth made a motion to recommend approval of Application PL2021-282, Rezoning from AG to RP-1, RP-4 and CP-2; and Preliminary Development Plan: Blue Parkway mixed-density residential development, 2840 SE Blue Pkwy; Griffin Riley Property Group, applicant. Commissioner Rader 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 Arth, seconded by Board Member Rader, that this application be recommended for approval to the City Council - Regular Session. The motion carried unanimously.

- a. **TMP-2038** An Ordinance approving a Rezoning from AG (Agricultural) to District RP-1 (Planned Single-Family Residential), RP-4 (Planned Apartment Residential District) & CP-2 (Planned Community Commercial District) and Preliminary Development Plan for Blue Parkway Mixed-Density Residential Development, located at 2840 SE Blue Parkway, 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.

#### Other Items

6. [2021-4390](#) Planning Commissioner Training

A staff memo was provided to the Planning Commission members. A date will be chosen for a discussion when all of the Planning commission members can be present. Mr. Johnson stated that on October 7th, the agenda had only a Consent item at this point, and that might be a good occasion to address some training items. If anyone had suggested items for coaching or training, that could be done via email. The memo had been intended to provide direction on how staff reports were constructed; and the criteria on which the Commission and Council made their decisions.

Chairperson Funk asked if Mr. Bushek could provide a written instruction sheet on procedures such as motions and amending motions. Mr. Johnson said that could be a topic on October 7th.

#### Roundtable

Commissioner Rader stated that there were large companies coming into the metro area, including Lee's Summit; and they were buying up properties in every price range. They made offers at full price and paid up front, which was what most sellers wanted. Those companies converted the properties to rentals. She was concerned about this trend in terms of property values. What generally happened was that absentee owners did not care about the properties as long as the rent was paid; and the home often fell into disrepair. Sometimes this was

because renters tended to care less about properties they did not own. She believed that this should be kept in mind when people talked about demand.

Commissioner Benbrook had the same concerns. The City needed to pay some serious attention to keeping single-family homes available for most families.

Commissioner Jana-Ford stated that she would not be able to attend on October 7th. Mr. Johnson suggested that she work with Chairperson Funk on the date.

Commissioner Jana-Ford stated that she and her husband would have a tent outside of Third Street Social at Oktoberfest.

Chairperson Funk told Mr. Johnson that he would check on who could attend on October 7th.

Mr. Johnson stated that on the October meeting, he wanted to provide the Commission with all the goals set out in the Ignite plan. Commissioner Jana-Ford was one of a group of three local architects who had been meeting with staff on standards. Staff wanted to hear what the priorities were.

Mr. Elam said the City had launched a new website, with all the information on the Comprehensive Plan. The future land use map was now in an interactive format.

## Adjournment

**There being no further business Chairperson Funk adjourned the meeting at 7:26 p.m.**

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