

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

Thursday, October 13, 2022

5:00 PM

City Council Chambers and videoconference

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Notice is hereby given that the Planning Commission for the City of Lee's Summit will meet on Thursday, October 13, 2022, 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, October 12, 2022, to the City Clerk at clerk@cityofls.net to attend the meeting on the video conferencing platform. The City Clerk will provide instructions regarding how to attend by this method.

Call to Order

Roll Call

Present: 6 - Chairperson Donnie Funk
Vice Chair Dana Arth
Board Member Mark Kitchens
Board Member Jake Loveless
Board Member Cynda Rader
Board Member Terry Trafton

Absent: 3 - Board Member Randy Benbrook
Board Member Tanya Jana-Ford
Board Member Chip Touzinsky

Approval of Agenda

Other Agenda Item # 6 was removed from the agenda and Item #7 was moved between approval of the minutes and the first public hearing item.

A motion was made by Board Member Kitchens, seconded by Board Member Loveless, that this agenda be approved as amended. The motion carried by the following vote:

Aye: 5 - Chairperson Funk
Board Member Kitchens
Board Member Loveless
Board Member Rader
Board Member Trafton

Absent: 4 - Vice Chair Arth
Board Member Benbrook
Board Member Jana-Ford
Board Member Touzinsky

Public Comments

There were no public comments at the meeting.

1. Approval of Consent Agenda

A. [2022-5188](#) Approval of the September 22, 2022 Planning Commission Minutes.

A motion was made by Board Member Trafton, seconded by Board Member Kitchens, that these minutes be approved. The motion carried by the following vote:

Aye: 6 - Chairperson Funk
Vice Chair Arth
Board Member Kitchens
Board Member Loveless
Board Member Rader
Board Member Trafton

Absent: 3 - Board Member Benbrook
Board Member Jana-Ford
Board Member Touzinsky

Public Hearings

2. **2022-5121** Public Hearing: Continued Application #PL2022-216 - Preliminary Development Plan - Macadoodles, 1499 SW Market Street; KC Blitz, applicant.

Mr. Hector Soto, Senior City Planner, entered Exhibit A 1-18 into the record.

Planning Commissioners discussion included:

- Recommended Median Improvement
- Applicants agreement of staff recommendations
- Traffic Volume
- Alternative options for traffic control
- Signage for traffic
- Conditions of Approval
- Emergency Vehicle Access
- Variance possibilists
- Drive-thru

Tom Sweeten, 1320 SW Market St. spoke in opposition to this application.

Daniel Donovan, 1324 SW Market St. spoke in opposition to this application.

Jerry Roach, 1317 SW Market St. spoke in opposition to this application.

A motion was made by Board Member Kitchens, seconded by Board Member Loveless, that this application be recommended for denial to the City Council - Regular Session, due back on 11/1/2022. The motion carried by the following vote:

Aye: 6 - Chairperson Funk
Vice Chair Arth
Board Member Kitchens
Board Member Loveless
Board Member Rader
Board Member Trafton

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Absent: 3 - Board Member Benbrook
Board Member Jana-Ford
Board Member Touzinsky

- a. **TMP-2417** An Ordinance approving a Preliminary Development Plan on land located at 1471-1499 SW Market Street in District CP-2, Lot 12A, South Port Business Park, all in accordance with the provisions of Chapter 33 of the Unified Development Ordinance of the Code of Ordinances for the City of Lee's Summit, Missouri.

3. [2022-5208](#) Public Hearing: Application #PL2022-298 - Vacation of Right-of-Way - a segment of NE Sloan Street located south of NE Tudor Road (adjacent to 15 NE Tudor Road); Cityscape Residential, applicant.

Mr. Hector Soto, Senior City Planner, entered Exhibit A 1-12 into the record.

Planning Commissioners discussion included:

- Location
- Property size
- Zoning
- Comprehensive Plan Designation

There was no one present to speak in favor of or in opposition to this application.

A motion was made by Board Member Trafton, seconded by Board Member Kitchens, that this application be recommended for approval to the City Council - Regular Session, due back on 11/1/2022. The motion carried by the following vote:

Aye: 6 - Chairperson Funk
Vice Chair Arth
Board Member Kitchens
Board Member Loveless
Board Member Rader
Board Member Trafton

Absent: 3 - Board Member Benbrook
Board Member Jana-Ford
Board Member Touzinsky

- a. [TMP-2452](#) An Ordinance vacating dedicated right-of-way for a segment of NE Sloan Street located south of NE Tudor Road (adjacent to 15 NE Tudor Road), in the City of Lee's Summit, Missouri.

4. [2022-5212](#) Public Hearing: Application #PL2021-325 - Vacation of Right-of-Way - a segment of NW Lowenstein Drive located between I-470 and NW Clifford Road; Star Excavation, LLC, applicant.

Mr. Hector Soto, Senior City Planner, entered Exhibit A 1-12 into the record.

Planning Commissioners discussion included:

- Access off Lowenstein
- SUP Expiration
- Conditions of approval
- Location

Melody Gillette, 2600 Clifford Rd. Ms. Gillette stated she was not opposed to this application,

just that she had questions. Her questions pertained to the current SUP and possibilities of a new application once the current application is expired.

A motion was made by Board Member Kitchens, seconded by Board Member Loveless, that this application be recommended for approval to the City Council - Regular Session, due back on 11/1/2022. The motion carried by the following vote:

Aye: 6 - Chairperson Funk
Vice Chair Arth
Board Member Kitchens
Board Member Loveless
Board Member Rader
Board Member Trafton

Absent: 3 - Board Member Benbrook
Board Member Jana-Ford
Board Member Touzinsky

- a. **TMP-2453** An Ordinance vacating dedicated right-of-way for a segment of NW Lowenstein Dr located between I-470 and NW Clifford Rd, in the city of Lee's Summit, Missouri.

5. **2022-5207** Public Hearing: Application #PL2022-296 - Preliminary Development Plan - Market Street Center Lot 2, 3511 SW Market Street; Lee's Summit Retail Partners, LLC, applicant.

Mr. Hector Soto, Senior City Planner, entered Exhibit A 1-12 into the record.

Planning Commissioners discussion included:

- Elevations
- Materials
- Landscaping
- Location
- Zoning
- UDO Requirements
- Conditions of Approval
- Signage

There was no one present to speak in favor of or in opposition to this application.

A motion was made by Board Member Loveless, seconded by Board Member Trafton, that this application be recommended for approval as amended to the City Council - Regular Session, due back on 11/1/2022. The motion carried by the following vote:

Aye: 6 - Chairperson Funk
Vice Chair Arth
Board Member Kitchens
Board Member Loveless
Board Member Rader
Board Member Trafton

Absent: 3 - Board Member Benbrook
Board Member Jana-Ford
Board Member Touzinsky

- a. **TMP-2451** An Ordinance approving a Preliminary Development Plan on land located at 3511 SW Market Street in District CP-2, all in accordance with the provisions of

Unified Development Ordinance, Chapter 33 of the Code of Ordinances for the City of Lee's Summit, Missouri.

Other Agenda Items

6. [2022-5211](#) Appl. #PL2022-156 - SIGN APPLICATION - Eyemart, 1041 NE Sam Walton Ln; Mid-America Sign, applicant

Removed from the agenda.

7. [2022-5210](#) Appl. #PL2022-283 - SIGN APPLICATION - Cobey Creek monument signs, 499 and 501 SE M-150 Hwy; Clayton Properties Group, Inc., applicant

A motion was made by Board Member Trafton, seconded by Board Member Kitchens, that this application be approved. The motion carried by the following vote:

Aye: 5 - Chairperson Funk
Vice Chair Arth
Board Member Kitchens
Board Member Rader
Board Member Trafton

Absent: 3 - Board Member Benbrook
Board Member Jana-Ford
Board Member Touzinsky

Abstain: 1 - Board Member Loveless

Roundtable

David Bushek explained the variance protocol with the Commissioners.

Commissioner Arth gave an update on topics discussed at CEDC and advised the Commission these topics would be coming to Planning Commission in the future.

Commissioner Trafton asked for confirmation for the joint CC and PC meeting November 15, 2022 at 6 p.m.

Kent Monter announced he will be retiring November 1, 2022.

Adjournment

There being no further business Chairperson Funk adjourned the meeting at 7:25 p.m.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"