

**LEE'S SUMMIT PLANNING COMMISSION**

**Minutes of Tuesday, April 11, 2017**

The Tuesday, April 11, 2017, Lee's Summit Planning Commission meeting was called to order by Chairperson Norbury at 5:04 p.m., at City Council Chambers, 220 SE Green Street, Lee's Summit, Missouri.

**OPENING ROLL CALL:**

Chairperson Jason Norbury	Present	Mr. Herman Watson	Absent
Mr. Fred Delibero	Absent	Mr. Beto Lopez	Present
Mr. Donnie Funk	Present	Ms. Colene Roberts	Present
Mr. Fred DeMoro	Present	Brandon Rader	Present
Mr. Don Gustafson	Present		

Also present were: Hector Soto, Manager of Current Planning; Victoria Nelson, Staff Planner; Shannon McGuire, Staff Planner; Ryan Elam, Director of Development Center; Chris Hughey, Project Manager; Kent Monter, Development Engineering Manager; Nancy Yendes, Chief Council of Infrastructure; Jim Eden, Assistant Fire Chief; and Kim Brennan, Permit Tech.

**1. APPROVAL OF CONSENT AGENDA**

- A. Application #PL2017-015 - PRELIMINARY PLAT** - Winterset Valley, Lots 1411-1505 and Tracts B11-B20; Gale Communities, Inc., applicant
- B. Application #PL2016-173 - FINAL PLAT** - Winterset Valley, 11th Plat, Lots 1392A, 1411-1434 & Tract A11; Gale Communities, Inc., applicant
- C. Application #PL2017-011 - FINAL PLAT** - Eagle Creek, 15th Plat, Lots 661-707 and Tracts O, P and Q; Hunt Midwest Real Estate Development, Inc., applicant
- D. Application #PL2017-034 - FINAL PLAT** - Aldersgate Methodist Church, Lots 3-5 and Tract A; Engineering Solutions, LLC, applicant
- E. Application #PL2017-039 - VACATION OF EASEMENT** - 800 NE Woods Chapel Rd., QuikTrip No. 0208R; QuikTrip Corporation, applicant
- F. Minutes** of the March 28, 2017 Planning Commission meeting

On the motion of Ms. Roberts, seconded by Mr. DeMoro, the Planning Commission voted unanimously by voice vote to **APPROVE** the Consent Agenda, Item 1A-F as published.

**APPROVAL OF AGENDA:**

Chairperson Norbury announced that there were no changes to the agenda, and asked for a motion to approve. On the motion of Mr. DeMoro, seconded by Ms. Roberts, the Planning Commission voted unanimously by voice vote to **APPROVE** the agenda as published.

2. **Application #PL2017-033 - REZONING** from CP-2 to R-1 and **PRELIMINARY DEVELOPMENT PLAN** - approximately 9 acres located on the east side of SW Raintree Pkwy approximately 1/3 mile south of SW Raintree Dr.; Chad & Joann Potter, applicant

Chairperson Norbury opened the hearing at 5:07 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. William Nedds of HDR stated that he was present on behalf of the applicants, Chad and Joann Potter. He displayed an aerial view of the property, pointing out the location of Raintree Drive. It was approximately 8.7 acres. The applicants had learned that when a property was annexed into a city, it retained its original land use designation. The Comprehensive Plan had designated it low-density residential, although the zoning had been CP-2. A proposed subdivision, Raintree Pointe, would be located to the west of the property, and the two subdivisions would have compatible architectural styles.

The applicants had requested a modification (Recommendation Item 1), based on the property being landlocked by the Raintree Lake Property Owners Association. It would have no street frontage, with the UDO requiring a minimum of 50 feet. They had acquired a 50-foot ingress and egress easement, in order to satisfy the intent of the UDO requirement. Mr. Nedds pointed out a water utility easement that already existed nearby. He also pointed out a proposed location for a home and its driveway connection to the access road.

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

Mr. McGuire entered Exhibit (A), list of exhibits 1-15 into the record. He confirmed that the applicant wanted to rezone the property from CP-2 to R-1. While rezoning applications did not typically accompany preliminary development plans; however, in this case the application needed a modification in order to satisfy the street frontage requirement and guarantee access to the development from SW Raintree Parkway. Modifications involving a UDO requirement were required to go through the PDP application process. Staff recommended approval subject to staff's Recommendation Item 1:

*A modification shall be granted to the minimum 50' street frontage requirement, to allow the subject property to have no street frontage onto SW Raintree Pkwy. The subject property shall gain access to and from SW Raintree Pkwy via a permanent 50' ingress/egress easement obtained from the RLPOA. A copy of the recorded easement shall be provided to the City's Development Services Department.*

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then asked if the Commission had questions for the applicant or staff.

Chairperson Norbury asked if the property would be part of the RLPOA. Mr. Nedds answered that it would.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:14 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. DeMoro made a motion to recommend approval of Application PL2017-033, Rezoning from CP-2 to R-1 and Preliminary Development Plan: approximately 9 acres located on the east side of SW Raintree Pkwy approximately 1/3 mile south of SW Raintree Dr.; Chad & Joann Potter, applicants; subject to staff's letter of April 7, 2017, specifically Recommendation Item 1. Mr. Rader seconded.

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

On the motion of Mr. DeMoro, seconded by Mr. Rader, the Planning Commission members voted unanimously by voice vote to recommend **APPROVAL** of Application PL2017-033, Rezoning from CP-2 to R-1 and Preliminary Development Plan: approximately 9 acres located on the east side of SW Raintree Pkwy approximately 1/3 mile south of SW Raintree Dr.; Chad & Joann Potter, applicants; subject to staff's letter of April 7, 2017, specifically Recommendation Item 1.

(The foregoing is a digest of the secretary's notes of the public hearing. The transcript may be obtained.)

## **PUBLIC COMMENTS**

There were no public comments at the meeting.

## **ROUNDTABLE**

There were no Roundtable items at the meeting.

## **ADJOURNMENT**

There being no further business, Chairperson Norbury adjourned the meeting at 5:19 p.m.

PC 041117