

The City of Lee's Summit
Action Letter
Planning Commission

Thursday, May 6, 2021

5:00 PM

City Council Chambers and Video Conference

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Notice is hereby given that the Planning Commission of the City of Lee's Summit will meet in regular session on May 6, 2021, at 5:00 pm in person in the City Council Chambers at City Hall, 220 SE Green Street, Lee's Summit, Missouri, 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 limited. The public may attend in person at the location listed above or by one of these methods:

- By viewing the meeting on the City website at 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 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-person at the meeting location specified above at the time of the meeting or in writing prior to 5:00 p.m. on May 5, 2021, by one of the following methods:

- By sending an e-mail to 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 May 6, 2021, 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 May 5, 2021, by e-mail at 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 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; such amendment will include a specific link to attend the Planning Commission meeting.

Planning Commission

Action Letter

May 6, 2021

Call to Order

Roll Call

Present: 8 - Chairperson Donnie Funk
Vice Chair Dana Arth
Board Member Tanya Jana-Ford
Board Member Mark Kitchens
Board Member John Lovell
Board Member Cynda Rader
Board Member Matt Sanning
Board Member Terry Trafton

Absent: 1 - Board Member Jake Loveless

Approval of Agenda

A motion was made by Board Member Trafton, 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. [2020-3848](#)** Appl. #PL2020-241 - PRELIMINARY PLAT - Pine Tree Farm Estates, Lots 1-6, 1050 NE Todd George Rd; Keith Foster, applicant

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

- B. [2021-4130](#)** Appl. #PL2021-133 - SIGN APPLICATION - Country Club Bank Projecting Sign, 32 SE 3rd St; Fossil Forge Design, applicant

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

- C. [2021-4135](#)** Appl. #PL2021-151 - SIGN APPLICATION - Kohl's/Sephora wall sign, 1820 NW Chipman Rd; Infinity Sign Systems, applicant

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

- D. [2021-4126](#)** Minutes of the April 22, 2021, Planning Commission meeting

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

Items for Discussion

- 2. [2021-4042](#)** Discussion of UDO sign ordinance (Article 9)

Mr. Soto staff had been asked recently to bring some information forward about Lee's Summit's sign ordinance. Staff occasionally got applications requesting signage that was either in excess of number of signs, height, or the maximum square footage size. These could be for businesses, churches or signs in residential subdivisions.

Tonight was an opportunity for some general discussion, and the packets had provided a table showing a breakdown of applications for signage or modifications submitted since 2001. Not

Planning Commission

Action Letter

May 6, 2021

including the two applications tonight, the Planning Commission had received 159 applications over the past 20 years for signage that exceeded the UDO's standard; an average of about 8 per year. The top three types of requests were related to the number of signs (100 out of 159 applications), size of signs (75 out of 159) and height of signs (25 out of the 159 applications). Of these applications, 108 were for commercial signage in CP-2 zoning. Of the remainder, 26 were for the PMIX zoning district and 11 each were for the R-1 and PI zoning districts. Sign regulations in PMIX zoning were the same as those for CP-2.

Of these applications, 100 were requests for a higher number of signs allowed, with 71 applications in CP-2, 11 in PMIX and 5 in PI zoning. Applications for allowing sign area greater than the square feet allowed included 30 applications in CP-2, 8 each in PMIX and AG and 6 in the R-1 zoning district. Most applications for R-1 were related to subdivision signage; specifically monument signs.

Mr. Soto then displayed a chart showing signage requirements for the zoning districts. Most of the applications involved uses in CP-2 and PMIX zoning. In terms of attached signs, which could be any wall sign, canopy sign, over canopy or projecting, a single tenant building was allowed three attached signs by right. Any multi-tenant building was allowed two attached signs per tenant. In terms of size, signs on the building's facade could use no more than 10 percent of the facade's overall area. A projecting, over canopy, or under canopy sign would have a set limit of 6 square feet.

Letter height was a maximum six feet; and staff had not received many applications for anything larger. For monument signs, in CP-2 zoning one was allowed per street frontage; so two would be allowed on a corner lot. The sign face area maximum was 72 square feet. The "sign structure area" meant the sign itself plus whatever base it was on; and when that was factored in the maximum was 96 square feet. No more than 72 square feet of that area could be the sign itself. The maximum height allowed was 12 feet. Again, requirements for PMIX zoning were the same as for CP-2.

Chairperson Funk asked Mr. Soto if the UDO had any regulations about location of signs. Mr. Soto answered that signs were required to be located on the same property they were advertising. A sign could be placed anywhere on that property, as long as it was private property and the sign was not within any utility easement or within 15 feet from a public water main or sanitary sewer line. Chairperson Funk asked about an issue where the sign would block someone else's sign or was near a traffic turn lane, and Mr. Soto replied that the ordinance had additional language requiring that the sign must be located clear of sight distance triangles. Freestanding signs were required to be outside a certain sight distance, especially those close to a driveway or street intersection. Additionally, 75 feet of separation was required between monument signs. Freestanding signs on adjacent lots were required to be a minimum 75 feet apart; though this was not done in all locations. In those situations the signs had to be as far apart as possible.

Commissioner Lovell asked about situations such as signs in the Downtown districts, where a sign might be technically allowed but was not a good fit for the area. Mr. Soto answered that the regulations did not restrict color choices; but did have certain material requirements that applied to certain zoning districts. Wooden signs were not allowed unless specifically approved. He recalled a sign in New Longview that was intended to have a 'rustic' look; and that had required approval from the Planning Commission. There were minimum requirements for base material, such as stone or masonry.

Commissioner Lovell then asked about lighting for signs, and Mr. Soto answered that internal illumination was prohibited in some zoning districts. Three types of illumination were allowed in various zoning districts. Cabinet or "box" signs had internal illumination. External indirect illumination could be a wall sign with something like a goose neck fixture; and "halo" lighting used reverse channel letters that were offset from the opaque face of the wall.

Planning Commission

Action Letter

May 6, 2021

Commissioner Kitchens remarked that he had some experience in this area; and he had advocated it being included in the UDO. There had been an increase in requests for multiple signage; and he agreed about different districts having different requirements. Some shopping centers did have their own regulations and requirements. He observed that sometimes developers wanted signage on multiple store fronts, especially in strip shopping centers; and the requirements for percentage did not always line up with the number of store fronts. The result was that some had a lot of space in front, with the smaller store fronts having a smaller footprint in terms of percentage. He asked if there was any way to change the percentage, after a review of approved applications by staff in order to see if there was a pattern. Higher percentages and areas of coverage had been approved by the Commission in a number of applications and at some point it would be appropriate to amend the UDO to reflect that.

Commissioner Kitchens added that in Lee's Summit, the signage issue was not so much for individual shopping districts. It was related to the fact that in the major corridors, many shopping centers were set further back for access via frontage roads. However, this often resulted in a disadvantage for smaller shops. He asked if there was a way to bring more attention to the storefronts. While it was possible to overdo signage, it was needed by these smaller businesses.

Commissioner Sanning mentioned the Bayberry shopping center, which was set back a little, and the signs were fairly standard. He asked was this was part of a standardization process or just a matter of bringing signage toward the roadway where it would be more visible. Regarding signage, Commissioner Sanning cited two examples of display that amounted to signage; such as the restaurant in town with an airplane atop the building; or a local car dealership with windows placed to make vehicles inside visible. He asked if these could be considered signage, or if they would be considered an accent.

Mr. Soto explained that the way the ordinance was written, it would not apply to emblems or anything else that were on the other side of the glass inside the building. That would also be the case with something but visible from the right-of-way and intended to be signage. Mr. Soto added that an architectural embellishment or feature such as the airplane would not include any imagery or message that would connect it to the business itself; the restaurant in this case. The airplane also did not represent a specific item sold in the restaurant, such as a taco at a fast-food place or a dog or cat image on the wall of a store that sold pet products.

Mr. Soto continued that in terms of fast food signage, a logo such as the golden arches would be considered a sign. At present the standard was that if a viewer could make any associations with what was on the wall including the product, then it could be considered a sign. He acknowledged that staff might look into what the standard was in various other communities.

Commissioner Sanning recalled an issue a few years back with owners of a Downtown building who wanted to paint a logo on a side of the building. It had not been allowed; and Commissioner Sanning asked for some clarification of how that plan might cause concern. Mr. Soto recalled that painting signs directly onto a wall of a building was not allowed to begin with. Signage might be put on something else that was attached to the building. Another issue that he had mentioned earlier was the image and message did not make a connection with the business itself, or any goods or services it might provide.

The connection could also be with the community; in Lee's Summit that might be an image of a train. That image would not make a connection to a restaurant; though it might be considered a mural or a form of public art.

Commissioner Sanning asked if this was basically a subjective decision, or what the vetting process might be. Mr. Soto answered that it was based on the definition in the sign ordinance.

Planning Commission

Action Letter

May 6, 2021

Any image, copy or logo that could be associated with the service or product would be considered a sign.

Chairperson Funk explained that sign applications always came to the Commission as consent agenda items. If someone were asking to be allowed variances for more signs for more height or larger area, the Commission would like to see moved from the consent agenda to a public hearing. They generally followed staff's direction regarding consent items was whether the item needed a public hearing, especially in the case of a dispute between neighbors over something like the size of a sign.

Commissioner Kitchens said he had made statements earlier about the number or percentage of wall signs. If they had been approved in the past in terms of percentage, that might be a basis for having this kind of issue put on the consent agenda. That would be preferable to adjusting the UDO. Chairperson Funk recalled that a few months ago, a small issue had come up in Raintree about a sign that had been put in place. The neighbors were upset that they had not had any input.

Mr. Soto acknowledged that a UDO amendment would be necessary to establish the process. Staff had discussed what kind of mechanism might be used to provide notice to surrounding property owners. Typically a public hearing would proceed from the Planning Commission to the City Council, with the exception of the Comprehensive Plan. Something might be set up where the Planning Commission still had the final authority but the public hearing process should require notices to be sent. At present staff could not require applicants to provide a notice; but signage applications could be heard under "Other Agenda Items" in addition to the consent agenda. That would require the applicant to at least present the item, describe the project and answer questions. Chairperson Funk noted that this would give an applicant a chance to make their request, and anyone objecting to make their case.

Commissioner Sanning asked if sign requests were coming after the fact, in that the Commission had already approved what might otherwise be in a public hearing. Mr. Soto explained that staff would start asking about signage with any applicant right away, and even during the pre-application process. An applicant had to be aware of what the sign ordinance requirements were; and they were asked by staff to provide all the signage information that they envisioned for that particular setting and development.

If at that point the applicant asked for more than was generally allowed, that would be worked into the public hearing discussion for the project as a whole. In any event it would require sending notices to surrounding property owners within 300 feet. However, in many cases the applicant did not have that much detail. Staff would encourage them to get these details done as part of the public hearing process. If they were not ready to do that, there was a separate route: the application would go to the Planning Commission only after a project was approved.

Roundtable

Chairperson Funk stated that he had sent out an email about the May 13th meeting at 5:00 p.m., with a final discussion before getting into approval of the new Comprehensive Plan on May 20th. Mr. Elam and Mr. Johnson were looking into whether there was another closed Council session on that same Thursday, and what time would work best. Mr. Soto clarified that staff just needed to have 24 hours notice, so they could post the meeting and see if there was a quorum. Normally, the Council's Rules Committee would be meeting; but staff had heard they would not be meeting on that night. At present they expected to meet in the Council Committee Conference Room.

Chairperson Funk stated that if anyone had any specific questions or concerns regarding the Comprehensive Plan, they could send emails to Mr. Elam, Mr. Johnson or Mr. Soto. That would provide an opportunity to prepare for a discussion at the meeting.

Mr. Soto clarified that the May 20th meeting would be a basic Planning Commission meeting

Planning Commission

Action Letter

May 6, 2021

where anyone could attend and speak or provide input during public hearings. The hearing for the Comprehensive Plan would be on the agenda; as well as the new Capital Improvement Plan (CIP). The Greenway Master Plan and Airport Master Plan would be presented as well.

Commissioner Rader said she someone had commented to her last week about wanting to get involved in Ignite but had never heard back from anyone. She asked about how people could be notified and kept up to date, so they felt that the time they had spent in committees had been worthwhile. Mr. Soto answered that the information was available on the City's website; but he would follow up with the consultant to see if any other information was being provided to people who had participated in some of the workshops.

Adjournment

There being no further business Chairperson Funk adjourned the meeting at 5:51 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"