

## LEE'S SUMMIT PLANNING COMMISSION

Minutes of Tuesday, July 12, 2016

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The Tuesday, July 12, 2016, Lee's Summit Planning Commission meeting was called to order by Chairperson Norbury at 5:00 p.m., at City Council Chambers, 220 SE Green Street, Lee's Summit, Missouri.

### OPENING ROLL CALL:

Chairperson Jason Norbury	Present	Mr. Nate Larson	Absent
Mr. Fred Delibero	Present	Mr. Beto Lopez	Absent
Mr. Donnie Funk	Present	Ms. Colene Roberts	Present
Mr. Fred DeMoro	Present	Mr. Brandon Rader	Present
Mr. Frank White III	Absent		

Also present were Hector Soto, Planning Division Manager; Christina Stanton, Senior Planner and Kent Monter, Development Engineering Manager.

### 1. APPROVAL OF CONSENT AGENDA

- A. [Removed from Agenda]
- B. **Minutes** of the June 14, 2016 Planning Commission meeting

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

### APPROVAL OF AGENDA:

Chairperson Norbury announced that Item A was being removed from the Consent Agenda and moved to the July 26, 2016 agenda. He 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 amended.

### 2. Application #PL2016-097 – PRELIMINARY DEVELOPMENT PLAN – QuikTrip, 800 NE Woods Chapel Road, QuikTrip, applicant

Chairperson Norbury opened the hearing at 5:05 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Andrew Smith, Real Estate Project Manager for QuikTrip, gave his address as 5725 Foxridge Drive in Mission, Kansas. He stated that he had given testimony about the QuikTrip store at M-150 at the most recent Planning Commission meeting. This project was very similar. They planned to demolish the existing "Generation 2" building and replace with a Generation 3 model. He displayed elevations for the Generation 3 buildings. On a displayed development

plan he pointed out the existing building's location. They had planned to eliminate the access on Ralph Powell Road due to a grade that would cause difficulties in the context of the ADA. There would be an access behind the store, and the access on Woods Chapel would remain. Mr. Smith pointed out the fuel islands in the front and parking on both sides of the store. The overall design would not change much other than the layout for the fuel stations.

Mr. Smith then addressed staff's 11 Recommendation Items. Items 1 through 3 pertained to impervious coverage. Due to circumstances involving the property, they would not be able to keep it under the 80% maximum. The extent of non-conformity would not be much different than what existed at the present QT store. The plan he had displayed did not show landscaped islands but they would be adding some to the parking areas. There were none at present. The conditions referenced in Recommendations 2 and 3 pertaining to screening material had been granted at the other QuikTrip stores. Recommendation Items 4, 5, 6, 7, 8 and 9, regarding screening material, under-canopy lighting, automatic door locks and trash enclosure gates, had also been requested in previous applications.

A residential neighborhood did exist directly to the north of the property, so the applicants were requesting 20-foot light poles instead of the maximum 15 feet (Recommendation Item 7). This was a security feature to ensure proper camera angles. Mr. Smith added that if the applicants complied with the requirement for single-headed light poles (Recommendation Item 8), they would need more light poles. There would not likely be any impact on the residential area, due to a street, an opaque fence and plenty of trees being behind the store. These should provide adequate screening and buffering.

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

Ms. Stanton entered Exhibit (A), list of exhibits 1-13 into the record. She stated that this was a redevelopment of an existing site, with the business on the site remaining the same. The applicants had obtained some land to the east at the Burger King site, and would be used to expand the parking. They were asking for a number of modifications, some of which were already in place for the current QuikTrip. This included the impervious coverage. Staff supported the application, subject to their Recommendation Items 1 through 11. The application for a minor plat (Recommendation Item 10) would have to be submitted on a later date.

Following Ms. Stanton's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application.

Mr. Dan Herzog stated that he and his wife lived just north of the development. He wanted some more detail and the traffic flow and access, noting that access on the north side of the store would be certain to generate more noise. The current traffic level was high, especially in the morning. He wanted to know if he could get a diagram of the plan for traffic flow. He also wanted some detail about the height and placement of the light poles.

Mr. Smith showed the current access point, to the west, on the displayed plan. It would not work with the new store, due to grade changes on the property. They planned a new access point near the northwest corner of the property. He remarked that the QuikTrip did not actually generate much traffic but capitalized on what was already there. Mr. Herzog asked if it was true that they were adding two more pumps, and Mr. Smith answered that it was. These were not

likely to add much volume but would allow the traffic to circulate better. He acknowledged that they would still have the entrance off Woods Chapel, adding that this was a shared access also used by the Burger King. The access on the north was a private drive and also shared with Burger King.

Mr. Herzog then asked about the location of the light poles that Mr. Smith had mentioned. Mr. Smith pointed out the locations and stated that they were all directed away from the residential use property. He also pointed out the road and fence that would provide some buffering.

Chairperson Norbury then asked if the Commission had questions for the applicant or staff.

Chairperson Norbury asked if there was a grade change between the back end of the lot across the road and the subdivision that was behind it. Mr. Jeff Bart of BHC Rhodes gave his business address as 7101 College Boulevard in Overland Park, Kansas and stated that he was engineer for the project. He explained that the retaining wall started at the western edge of the store and was at grade with the drive at that point. From there to the corner was an 11-foot grade change. Chairperson Norbury asked if this meant that the top of the fence was about even with the lights, when the fence height was factored in, and Mr. Bart answered that this was correct.

Chairperson Norbury observed that it was not usual for the Commission to get an application that asked to increase the degree in nonconformity, specifically for impervious coverage. He asked for some information as to why the Commission was being asked to approve it. Mr. Smith answered that the size of the building was the main factor. The existing one was 4,300 square feet and would be replaced by one 5,800 square feet. This new building would have drive aisles on all four sides and these aisles would be 35 feet. They were intended to avoid traffic congestion, as was the additional parking. Chairperson Norbury summarized that the modifications were due to changes in the site plan and traffic flow; and Mr. Smith answered that this was accurate. He added that since they had acquired some land, and this would help accommodate the expansion. The land to the east, at the Burger King site's boundary, had previously had high impervious coverage.

As there were no other questions for the applicant or staff, Chairperson Norbury closed the public hearing at 5:19 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. DeMoro made a motion to recommend approval of Application PL2016-097, Preliminary Development Plan: QuikTrip, 800 NE Woods Chapel Road, QuikTrip, applicant; subject to staff's letter of July 8, 2016, specifically Recommendation Items 1 through 11. Mr. Funk 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. Funk, the Planning Commission members voted unanimously by voice vote to recommend **APPROVAL** of Application PL2016-097, Preliminary Development Plan: QuikTrip, 800 NE Woods Chapel Road, QuikTrip, applicant; subject to staff's letter of July 8, 2016, specifically Recommendation Items 1 through 11.

(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**

Mr. Soto announced that the Council meeting last Thursday had looked at two applications heard by the Commission on June 14. One was the earlier M-150 QuikTrip application, and the other the telecommunications tower. Staff had been able to work with the applicant and identify additional practices they could incorporate in their operations and help meet the 250 point threshold. They finally did get 275 points. Chairperson Norbury asked Mr. Soto to send the Commissioners the information, and thanked staff for their efforts. This would hopefully set a good precedent for future applications.

Mr. Soto added that the Council had denied the preliminary development plan and Special Use Permit application for the telecommunications tower.

## **ADJOURNMENT**

There being no further business, Chairperson Norbury adjourned the meeting at 5:22 p.m.

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