

MEMO

To: City Council
From: Hector Soto, Jr., AICP, Senior Planner
CC: File
Date: November 4, 2024
Re: Appl. #PL2024-188 - Preliminary Development Plan - Lee's Summit Joint Operations Facility, 2 NE Tudor Road; Hoefer Welker, applicant

Following the applicant's and staff's presentations during the public hearing held on October 10, 2024, the Planning Commission expressed concerns about the requested modification to the required medium impact landscape buffer/screen along the north property line between the proposed Joint Operations Facility and both the residentially-zoned property (future site of the 154-unit The Haven at Douglas Station apartment development) and retail center to the north. Specifically, the requested modification is to only allow the planting of the required quantity of shrubs along the northern property line and to not plant any of the 38 required trees through this same area. A concern of the Planning Commission is that forgoing the required trees would negatively impact the area aesthetics and burden the future apartment development by not providing a visual screen of the abutting City facility. Another concern regarding the modification request was the potential public perception that the City may not be holding itself to comply with City standards as it does with private development.

As conveyed in staff's presentation to the Planning Commission, the basis for staff's initial and continued support of the modification request to not require the planting of any trees along the northern property line is the presence of underground public and overhead private utility infrastructure along said property line. Twin, parallel sanitary sewer lines are located along the eastern portion of the area in question; the planting of trees over sanitary sewer lines is discouraged due to their root systems that may compromise the integrity of the underground infrastructure resulting in long-term maintenance concerns. Similarly, the full length of the property is encumbered by overhead power lines located along the northern property line, as well as triple-strand high voltage transmission lines centered approximately 50' south of the northern property line; the planting of trees under and around overhead electrical lines is discouraged due to height concerns of tree canopies interfering with and damaging electrical lines. Since the date of the Planning Commission meeting, staff researched any requirements Evergy may have regarding improvements within easements serving their transmission lines. According to General Requirement 8)a under the "[Evergy Requirements for Construction within Transmission Easements](#)", no mature tree height greater than 10 feet above grade or placed within 10 feet of wire (horizontally) shall be allowed within the easement.

In response to the concern that the requested modification would burden the future apartment development with a less impactful visual screen of the proposed City facility, the future apartment

development (currently going through the final development plan approval process in preparation for building permit issuance) will be installing the required medium impact landscape buffer/screen along its southern border where it abuts the City property. Said landscape buffer/screen will include a mix of shrubs, deciduous trees and coniferous trees.

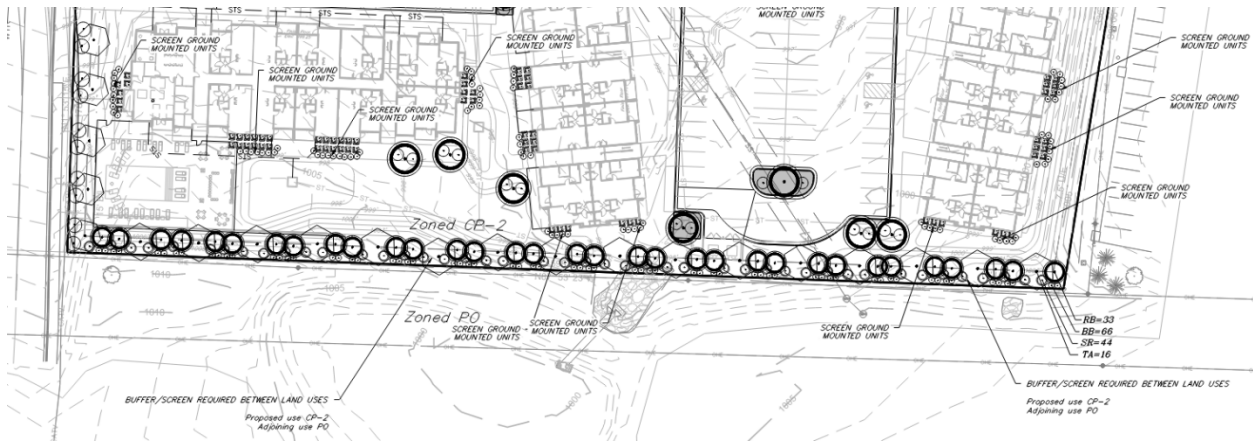


Figure 1 - Landscape buffer/screen along south boundary of The Haven at Douglas Station)

In response to the concern voiced by the Planning Commission regarding the potential perception that the City may not be holding itself to comply with UDO standards as it does private development, the City Council granted a modification on August 15, 2023, to the same landscape buffer/screen requirements along the northern property line of a new private commercial building site located at 150 NE Tudor Rd (1/4 mile east of the subject property) due to the presence of the same overhead power lines and sanitary sewer main impacting the Joint Operations Facility.

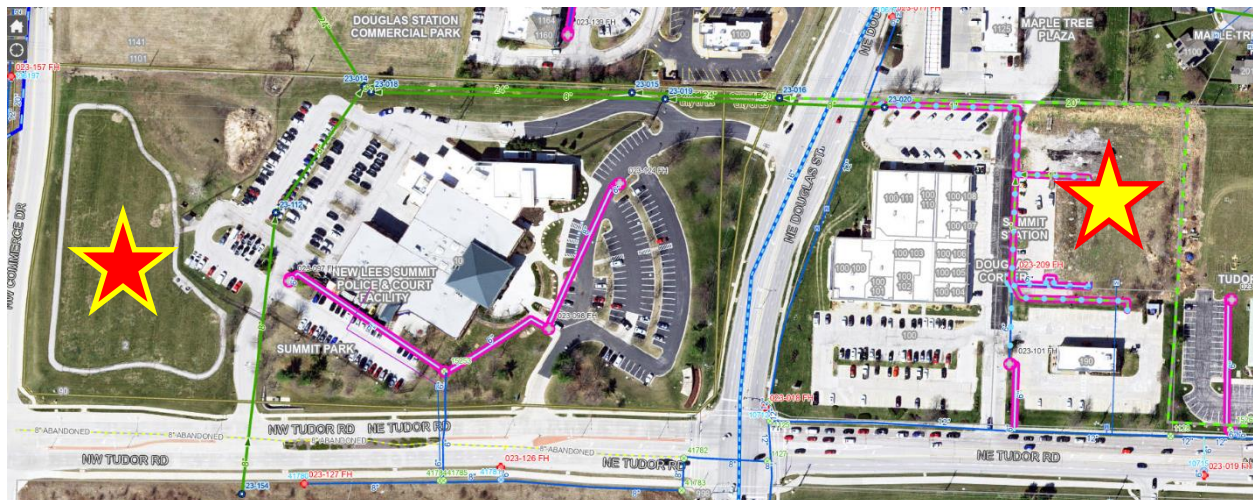


Figure 2 - Aerial photo showing Joint Operations Facility site (red star) and 150 NE Tudor Rd (yellow star)

Based on staff's concerns about maintaining the integrity of area infrastructure; Every's prohibition of planting trees over 10 feet in height under or within 10 feet of their infrastructure; precedence of a previously approved landscape buffer/screen in the area due to the presence of underground and overhead infrastructure; and the fact that a medium-impact landscape buffer (including trees) will be installed by the abutting future apartment development to the north, staff does not support Condition #1 as amended by the Planning Commission (shown further below under the "Recommendations" section) requiring the installation of 15 trees along the northern boundary of the Joint Operations Facility. Staff

instead recommends the original language of Condition #1 as follows: “A modification shall be granted to the medium impact landscape buffer/screen along the north property line, to allow the planting of only shrubs as depicted on the landscape plan dated August 27, 2024.”

Recommendations

1. A modification shall be granted to the medium impact landscape buffer/screen along the north property line, to allow the planting of **only** shrubs as depicted on the landscape plan dated August 27, 2024, **and require the planting of 15 trees along the area abutting the RP-4-zoned property to the north. (amended by the Planning Commission)**
2. Development shall be in accordance with the preliminary development plan dated August 27, 2024, inclusive of the architectural elevations contained therein depicting the use of architectural composite metal panel systems.