

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

Thursday, October 12, 2023

5:00 PM

City Council Chambers
and Via Video Conference
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 12, 2023, 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 pm on Wednesday, October 11, 2023, to the City Clerk at clerk@cityofls.net to attend the meeting on the video conference platform. The City Clerk will provide instructions regarding how to attend by this method.

1. Call to Order

2. Roll Call

Present: 8 - Vice Chair Dana Arth
Board Member Randy Benbrook
Board Member Tanya Jana-Ford
Board Member Mark Kitchens
Board Member Jake Loveless
Board Member Cynda Rader
Board Member Chip Touzinsky
Board Member Terry Trafton

Absent: 1 - Chairperson Donnie Funk

3. Approval of Agenda

Vice Chair Arth advised that Public Hearing Application PL#2023-186 has been withdrawn.

A motion was made by Board Member Rader, seconded by Board Member Kitchens, that this Agenda be approved as amended. The motion carried unanimously.

4. Public Comments

There were no public comments at the meeting.

5. Approval of Consent Agenda

A. [2023-5900](#) Approval of the September 28, 2023, Planning Commission Action Report.

A motion was made by Board Member Rader, seconded by Board Member Kitchens, that the action report be approved. The motion carried unanimously.

6. Public Hearings

- A. 2023-5807** Public Hearing: Application #PL2023-130 - Rezoning from AG to CP-2 and Preliminary Development Plan - Cowboy Carwash, 3601 SW Hollywood Drive; KC Cowboy Properties, LLC, applicant.

Mr. Shannon McGuire, City Planner, entered Exhibit A 1-20 into the record.

Planning Commissioners discussion included:

- Zoning
- Land Use
- Conceptual Site Plan
- Materials
- Elevations
- Conditions of Approval

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 Rader, that this application be recommended for approval to the City Council - Regular Session, due back on 11/7/2023. The motion carried unanimously.

- 1.) TMP-2766** An Ordinance approving rezoning from District AG (Agricultural) to District CP-2 (Planned Community Commercial District) and a Preliminary Development Plan for Cowboy Carwash, located at 3601 SW Hollywood Drive, all in accordance with the provisions of Chapter 33, Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

- B. 2023-5812** Public Hearing: Application #PL2023-132 - Special Use Permit for a carwash - Cowboy Carwash, 3601 SW Hollywood Drive; KC Cowboy Properties, LLC, applicant.

Mr. Shannon McGuire, City Planner, entered Exhibit A 1-15 into the record.

Planning Commissioners discussion included:

- Zoning
- Site Plan
- SUP Time Period
- Materials
- Surrounding Area
- Conditions of Approval
- Property Maintenance

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

The Commission requested an Amendment to the application. To add, building materials and finishes shall be well maintained and free of defect. Including storefront materials, finish and paint. In addition to all glass and storefront glazing to be kept free of lime scale mildew or other material build up.

A motion was made by Board Member Touzinsky, seconded by Board Member Rader, that this application be recommended for approval as amended to the City Council - Regular Session, due back on 11/7/2023. The motion carried unanimously.

- 1.) **TMP-2767** An Ordinance granting a Special Use Permit for a carwash facility in District CP-2 on land located at 3601 SW Hollywood Drive, for a period of twenty (20) years, all in accordance with Article 6 of the Unified Development Ordinance for the City of Lee's Summit, Missouri.
- C. [2023-5814](#) Continued Public Hearing: Appl. #PL2023-133 - Comprehensive Plan Amendment - change in land use designation from Residential 3 to Commercial, 3601 SW Hollywood Dr; KC Cowboy Properties, LLC, applicant
- 1.) [2023-5815](#) Resolution 2023-05 - A Resolution of the Planning Commission of the City of Lee's Summit, Missouri, amending the Lee's Summit Ignite! Comprehensive Plan.
- D. **2023-5907** Public Hearing: Application #PL2023-120 - Rezoning from PO to RP-4 and Preliminary Development Plan - Clover Communities Lee's Summit, 830, 840 & 900 NE Douglas Street; Clover Communities Lee's Summit, LLC, applicant.

A motion was made by Board Member Jana-Ford, seconded by Board Member Kitchens, that this resolution be approved. The motion carried unanimously.

Mr. Shannon McGuire, City Planner, entered Exhibit A 1-18 into the record.

Planning Commissioners discussion included:

- Zoning
- Modifications
- Land Use
- Property Size
- Parking
- Density
- Materials
- Elevations
- Conditions of Approval
- Amenities
- Stormwater

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

A motion was made by Board Member Benbrook, seconded by Board Member Touzinsky, that this application be recommended for approval to the City Council - Regular Session, due back on 11/7/2023. The motion carried by the following vote:

Aye: 5 - Vice Chair Arth
Board Member Benbrook
Board Member Kitchens
Board Member Touzinsky
Board Member Trafton

Nay: 3 - Board Member Jana-Ford
Board Member Loveless
Board Member Rader

Absent: 1 - Chairperson Funk

- 1.) **TMP-2810** An Ordinance approving rezoning from District PO (Planned Office District) to

RP-4 (Planned Apartment Residential District) and a Preliminary Development Plan for Clover Communities Lee's Summit, on approximately 7.04 acres of land located at 830, 840 & 900 NE Douglas Street, all in accordance with the provisions of Chapter 33, Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

- E. 2023-5901** Public Hearing: Application #PL2023-236 - Preliminary Development Plan - Lee's Summit Flex Space, 60 SE Thompson Drive; Kimley-Horn, applicant.

Mr. Hector Soto, City Planner, entered Exhibit A 1-17 into the record.

Planning Commissioners discussion included:

- Zoning
- Land Use
- Parking
- Materials
- Elevations
- Modifications
- Conditions of Approval
- Tenant Use

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

The commission has requested to add a condition of approval.

A motion was made by Board Member Trafton, seconded by Board Member Touzinsky, that this application be amended to add a condition of approval to require construction a five-foot sidewalk along SE Decker St, along the frontage of their property, or participate in the payment in lieu of construction of the five-foot sidewalk prior to issuance of temporary certificate of occupancy. The motion failed to carry by the following vote:

**Aye: 3 – Vice Chair Arth
Board Member Trafton
Board Member Touzinsky**

**Nay: 5 – Board Member Kitchens
Board Member Rader
Board Member Loveless
Board Member Jana-Ford
Board Member Benbrook**

Absent: 1 – Chairperson Funk

A motion was made by Board Member Trafton, seconded by Board Member Rader, that this application be recommended for approval to the City Council - Regular Session, due back on 11/7/2023. The motion carried by the following vote:

**Aye: 8 - Vice Chair Arth
Board Member Benbrook
Board Member Jana-Ford
Board Member Kitchens
Board Member Loveless
Board Member Rader
Board Member Touzinsky
Board Member Trafton**

Absent: 1 - Chairperson Funk

1.) TMP-2809 An Ordinance approving a Preliminary Development Plan for Lee's Summit Flex Space located at 60 SE Thompson Drive, all in accordance with the provisions of Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the city of Lee's Summit, Missouri.

F. [2023-5903](#) Public Hearing: Appl. #PL2023-186 - SPECIAL USE PERMIT for contractor garage facility - Lee's Summit Flex Space, 60 SE Thompson Dr; Kimley-Horn, applicant (application withdrawn)

This Public Hearing - Sworn was withdrawn.

G. [2023-5891](#) Continued Public Hearing: Application #PL2023-224 - Unified Development Ordinance Amendments to Article 2 pertaining to Applications and Procedures, Article 5 Overlay Districts, Article 7 Subdivisions, and Article 8 Site Standards; City of Lee's Summit, applicant.

A motion was made by Board Member Benbrook, seconded by Board Member Touzinsky, that this application be continued to the Planning Commission, due back on 10/26/2023. The motion carried unanimously.

1.) [TMP-2811](#) An Ordinance amending Chapter 33 of the Lee's Summit Code of Ordinances, Article 2 pertaining to Applications and Procedures, Article 5 pertaining to Overlay Districts, Article 7 pertaining to Subdivisions, and Article 8 pertaining to Site Standards; of City of Lee's Summit, Applicant.

7. Roundtable

Commissioner Trafton shared concerns to the safety of our citizens. Wanting to bring attention to what happened in his neighborhood. A 13-year-old boy was hit by a car on a street that does not have a stop sign. Rockbridge and Redbuck Cir. Fortunately the young man will recover from his injuries. Citizens are calling for a stop sign to be added to that intersection.

8. Adjournment

There being no further business Vice Chair Arth adjourned the meeting at 7:56 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"