



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, July 11, 2023

6:00 PM

City Council Chambers
and Via Video Conference

220 SE Green Street

Lee's Summit, MO 64063

REGULAR SESSION NO. 43

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, July 11, 2023 at 6:00 pm in person 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 p.m. on Monday, July 10, 2023, to the City Clerk at clerk@cityofls.net to attend the meeting on the video conferencing platform. The City Clerk will provide instructions regarding how to attend by this method. The meeting may be viewed on the City's website at WatchLS.net, and on various cable providers (Spectrum Channel 2, AT&T U-Verse Channel 99 and Comcast Channel 7).

Preliminaries:

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order
- D. Roll Call

1. Approval of Agenda

2. Approval of Consent Agenda:

Items on the Consent Agenda are routine business matters or proposed ordinances approved unanimously by the Council on First Reading. Consent agenda items may be removed by any Councilmember for discussion as part of the regular agenda.

- A. [2023-5586](#) Approval of City Council Action Letter from June 20, 2023.

- B. [BILL NO. 23-129](#) An Ordinance approving the Reinhart Foodservice, LLC Land Clearance for Redevelopment Authority Redevelopment Plan.
(Note: First read by Council on June 20, 2023. Passed by unanimous vote.)

Presenter: Tami Gardner, Performance Food Group, Vice President of Tax
Scott Cinquanta, President, Performance Foodservice Lee's Summit
David Bushek, Chief Counsel of Economic Development & Planning

- C. [BILL NO. 23-130](#) An Ordinance approving a Preliminary Development Plan for Dental Depot on land located at 1501 NE Rice Road, 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.

(Note: First read by Council on June 20, 2023. Passed by unanimous vote.)

Presenter: C. Shannon McGuire, Planner
Brian Ward, Applicant's Representative

3. Council Roundtable

Council Roundtable is reserved for items of general interest, community announcements and other such information. Council may ask for clarification or give direction about agenda items or discuss items of an emerging nature.

4. Public Hearings:

Proposed ordinances considered after a public hearing will be read for the first time and forwarded to a future City Council meeting for second reading, unless deemed to be an emergency as defined in Sec. 3.13(f) of the Lee's Summit Charter. Five affirmative votes are required for approval of second reading.

- A. [2023-5703](#) Public Hearing: Application #PL2023-079 - Special Use Permit renewal for automotive sales and major automotive repair - Instant Auto, 2151 NE Independence Avenue; Instant Auto, applicant.

Presenter: Shelley Livingston, Applicant's Representative
Hector Soto, Jr., AICP, Senior Planner

- 1) [BILL NO. 23-141](#) An Ordinance granting a Special Use Permit for an automotive sales and major automotive repair facility in District CP-2 on land located at 2151 NE Independence Avenue, for a period of ten (10) years, all in accordance with Article 33, Unified Development Ordinance, of the Code of Ordinances for the City Of Lee's Summit, Missouri.

Presenter: Shelley Livingston, Applicant's Representative
Hector Soto, Jr., AICP, Senior Planner

- B. [2023-5698](#) Public Hearing: Application #PL2023-011 - Rezoning from CP-2 to PMIX and Preliminary Development Plan - Discovery Park - Zone 1, approximately 39.42 acres located at the northwest corner of NE Colbern Road and NE Douglas Street; Intrinsic Development, LLC, applicant.

Presenter: Brian Maener, Applicant Representative
Hector Soto, Jr., AICP, Senior Planner

- 1) [BILL NO. 23-142](#) An Ordinance approving rezoning from District CP-2 (Planned Community Commercial District) to District PMIX (Planned Mixed Use District) and Preliminary Development Plan for Discovery Park - Zone 1 on approximately 39.42 acres of land located at the northwest corner of NE Colbern Road and 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.

Presenter: Aimee Nassif, AICP, Deputy Director of Development Services
Brian Maener, Applicant Representative

5. Public Comments:

Anyone wishing to address the Mayor and Council during Public Comments will be limited to 3 minutes. Each speaker must fill out a Public Comment Card. The Public Comment Cards are located at the entrance of Council Chambers. After completion, the card is to be given to the City Clerk. Please be concise with comments and respect the 3 minute time limit.

6. Presentations:

- A. [2023-5691](#) Presentation: Conceptual Economic Development Incentive Request - Chapter 100 incentives for the Lakewood Business Park Industrial Project; Ward Development, applicant.

Presenter: Curt Petersen, Polsinelli Law Firm for Developer
David Bushek, Chief Counsel of Economic Development and Planning
Ryan Elam, Assistant City Manager

7. Resolutions:

- A. [RES. NO. 23-18](#) A Resolution authorizing the Mayor to appoint successor directors to the Pine Tree Community Improvement District.

Presenter: Mark Dunning, City Manager

8. Proposed Ordinances - First Reading:

The proposed ordinances presented for first reading may include items with a previous hearing; an item brought directly to the City Council without a recommendation from a Council Committee; or, items forwarded from citizen Boards or Commissions. Five affirmative votes are required for approval of second reading.

- A. [BILL NO. 23-143](#) An Ordinance Approving the Tax Increment Financing Contract and Amended and Restated Community Improvement District Cooperative Agreement for the Discovery Park Project.

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

- B. [BILL NO. 23-144](#) An Ordinance approving an LCRA Redevelopment Agreement between Kevin Higdon Construction, LLC and the City of Lee's Summit, MO, and authorizing the City Manager to execute the same.

Presenter: Ryan A. Elam, PE, Assistant City Manager
David Bushek, Chief Counsel of Economic Development and Planning

- C. [BILL NO. 23-145](#) An Ordinance Approving the Third Amendment to the Real Estate Sale Agreement Between the City of Lee's Summit, Missouri, and Archview Properties, LLC, for the Sale of City Property at 15 and 25 NW Tudor Road.

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

9. Proposed Ordinances - Second Reading:

The proposed Ordinances were advanced from First Reading without a unanimous vote of the City Council.

- A. [BILL NO. 23-140](#) An Ordinance approving the Redevelopment Contract and the Lease Agreement between the City of Lee's Summit and Ellis Glen, LLC, to implement the Ellis Glen Land Clearance for Redevelopment Authority Redevelopment Plan. (Note: First read by Council on June 20, 2023.)

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

10. Committee Reports

Committee chairs report on matters held in Committee.

11. Council Comments:

(NOTE: Total time for Council Comments will be limited to 5 minutes.)

12. Staff Roundtable

Staff Roundtable is reserved for items of general interest, community announcements and other such information; however, staff may ask for clarification or direction from the council related to items on the agenda or for items of an emergency nature for which insufficient time exists for adding to the agenda.

13. Adjournment

Unless determined otherwise by the Mayor and City Council, no new agenda items shall be considered after 11:00 p.m.

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"