

The City of Lee's Summit

Action Letter - Draft

Planning Commission

Thursday, November 12, 2020

5:00 PM

City Council Chambers

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 November 12, 2020 at 5:00 pm in person 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 extremely limited, and therefore the public is invited to attend the meeting 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 writing prior to 5:00 p.m. on November 11, 2020, 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 November 12, 2020, 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 November 11, 2020 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.

Call to Order

Roll Call

Present: 7 - Chairperson Donnie Funk
Board Member Dana Arth
Board Member Tanya Jana-Ford
Board Member Mark Kitchens
Board Member John Lovell
Board Member Matt Sanning
Board Member Terry Trafton

Absent: 2 - Vice Chair Carla Dial
Board Member Jake Loveless

Approval of Agenda

A motion was made by Board Member Arth, seconded by Board Member Sanning, that this agenda be approved. The motion carried by the following vote:

Aye: 7 - Chairperson Funk
Board Member Arth
Board Member Jana-Ford
Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

Absent: 2 - Vice Chair Dial
Board Member Loveless

Public Comments

There were no public comments at the meeting.

Approval of Consent Agenda

TMP-1736 An Ordinance vacating a certain easement located at 2025 SW M-150 HWY in the City of Lee's Summit, Missouri.

A motion was made by Board Member Arth, seconded by Board Member Kitchens, that application be recommended for approval to the City Council - Regular Session, due back on 12/1/2020. The motion carried by the following vote:

Aye: 7 - Chairperson Funk
Board Member Arth
Board Member Jana-Ford
Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

Absent: 2 - Vice Chair Dial
Board Member Loveless

[TMP-1733](#) Appl. #PL2020-284 - VACATION OF EASEMENT - 1008 SW Drake Cir; Anderson Survey Co., applicant

A motion was made by Board Member Arth, seconded by Board Member Kitchens, that application be recommended for approval to the City Council - Regular Session, due back on 12/1/2020. The motion carried by the following vote:

Aye: 7 - Chairperson Funk
Board Member Arth
Board Member Jana-Ford
Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

Absent: 2 - Vice Chair Dial
Board Member Loveless

[2020-3765](#)

A motion was made by Board Member Arth, seconded by Board Member Kitchens, that the minutes be approved. The motion carried by the following vote:

Aye: 7 - Chairperson Funk
Board Member Arth
Board Member Jana-Ford
Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

Absent: 2 - Vice Chair Dial
Board Member Loveless

Public Hearings

[2020-3786](#)

Public Hearing: Application #PL2020-304 - PRELIMINARY DEVELOPMENT PLAN - Lee's Summit High School exterior materials, 400 SE Blue Pkwy; Gould Evans, applicant

Chairperson Funk opened the hearing at 5:09 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Soto stated that this application, staff's presentation would be first, followed by the applicant's presentation. He displayed an aerial and zoning map that showed the school's location at the northwest corner of US 50 highway and M-291 highway. It was surrounded by mostly residential zoning, with some commercial zoning along the eastern parking lot that was parallel to M-291. Schools were allowed in every zoning district in Lee's Summit, so no conflict existed between existing zoning and this land use.

Mr. Soto related that unlike other applications, the Planning Commission took final action on preliminary development plans pertaining to public facilities; so this application would not go to the City Council for final approval. The purpose of this application was approval of the use of architectural metal panels as a conditional material, which the UDO required when metal was a primary material on a non-residential building not located in an area zoned for industrial use. For tonight's application, the Commission's purview was only for the use of this specific material. This project included another building addition; however, that addition would not require Planning Commission approval and would be done at the administrative staff level under some separate applications.

A displayed site plan highlighted areas using metal panels in orange. The main building was indicated as "A" and "C", with much of the metal panel use being parallel to Browning Street on the west side. The displayed building elevations showed all four sides, with the south elevation showing the metal panel use in pink. That would be about 26 percent of the area, with 21 percent used on the east elevation, 14 percent on the north and 41 percent of the

facade. Typically the use of metal on applications involving schools, churches and some car dealerships had been 30 to 50 percent on any given facade; so the percentages for this application fell within the typical range for applications approved by the Commission and the City Council.

The only Condition of Approval was that "Architectural metal panels shall be allowed as a primary exterior building material as shown on the building elevations dated September 4, 2020." The one Standard Condition of Approval stated that "Sign permits shall be obtained prior to installation of any signs through the Development Services Department. All signs proposed must comply with the sign requirements as outlined in the sign section of the Unified Development Ordinance."

Mr. Kelly Drayer identified himself as an associate principal with Gould Evans, the applicant. He confirmed that the areas on the site plan colored in orange represented the school buildings' additions with the proposed metal panels. He would be showing some numbered diagrams based on someone entering the site via the south entry. He pointed out the specific locations where metal would be used on another version of the displayed diagram, noting that the other materials were glass and brick. The areas outlined in red indicated school buildings where brick had been used, and would still be used on most of the school. The use of metal panels would be in the area outlined in green.

The next slide displayed samples of the metal zinc panels. One of the reasons for the metal panels was to identify the parts of the school with Innovation programs; and another was to create a 'wayfinding' path that would connect the school's three buildings. It would also create an updated and modern connection at all three of the entry points.

Mr. Drayer pointed out these three entries. The entry at Building "A" was the new, secure entry that would be open throughout the day and would be used by visitors. The entry to the west was for pick up and drop off, so students would arrive through that entry. Mr. Drayer clarified that some areas of the project would be perforated scrim, which was shown on the image a panel. Zinc was being used because it was a commonly used material that weathered extremely well. It also had some self-healing properties when scratched and was considered a 100-plus year material.

The next slide displayed a view of the combination brick and metal panel on the building. The reason for the specific color was to be consistent with the detailing currently on the school. Much of this would remain including the brick facade. The school's copings, light fixtures, window frames, downspouts and entry systems were dark metal. It would also be used on the school's performing arts center. Mr. Drayer also displayed renderings of the main entry, with both brick and dark metal, the secure entry on the west side with the new metal panels and the west student entry and bus pickup and drop off point. A bridge connection would link the "B" and "C" buildings. The major "greenway" walk would be the east student entry.

Following Mr. Drayer's comments, Chairperson Funk asked Mr. Soto if there was a list of exhibits to be entered into the record. Mr. Soto then entered exhibit "A", list of exhibits 1-12 into the record. Chairperson Funk then asked if there was any testimony from the public, either in support for or opposition to the application. There was no testimony, and Mr. Soto confirmed that staff had not received any feedback. Chairperson Funk then opened the hearing for Commissioners' questions for the applicant or staff.

Ms. Jana-Ford asked Mr. Drayer if the zinc would be in front of the glazing on the walkway as a scrim in the new addition. He replied that there was some perforated metal on the west side, set about 15-20 feet away from the glazing, which would provide some sun shading on that side. Ms. Jana-Ford noted that dark glass would heat up faster from sunlight and asked if that would impact the temperature inside the buildings. Mr. Drayer answered that it would not.

Mr. Sanning asked Mr. Soto if this design and use of metal was consistent with the updated UDO. Mr. Soto replied that it was. At the time the UDO was adopted in 2001, metal was used primarily in industrial areas; and if it was to be a primary use it would be evaluated on a case by case basis. By 2020, however, it was a commonly used material on residential, commercial and institutional uses. In future UDO editions it would be a primary building material by right.

Mr. Sanning mentioned that he was a graduate of Lee's Summit High School and his children were attending there was well. He wanted to know what would happen to the tiger head. Mr. Drayer said that he was also a graduate and his children had asked him the same question. The current plan was for it to be located at the back space of the performing arts center, facing the athletic fields; so it would still be in a prominent position.

Chairperson Funk noted that one of the slides the applicant had shown had some graphics including a logo. He wanted to know if that was specifically for the presentation or would be displayed at the school. Mr. Drayer answered that this was currently undecided, though there would be some signage. Chairperson Funk then asked Mr. Soto if this was something the Commission would need to revisit, at least in terms of size. Mr. Soto answered that it would, in a separate application; but the logo was not part of tonight's hearing. The applicant and the School District had been informed that if they did want to use some kind of graphic, they would need to submit an application.

Ms. Jana-Ford asked if the breezeway between the two buildings on the southeast would be enclosed. Mr. Drayer answered that it would. The breezeway would connect both parts of Building "A" as well as enclosing a courtyard that would replace a parking lot at that location.

Mr. Lovell as he understood it, the metal was an aesthetic element to identify the breezeway, with the building and glass behind it. Mr. Drayer displayed a rendering showing the approach from the southwest, and pointed out a scrim set on the south side and away from the building. It was there to be an icon for the school. He confirmed Mr. Soto's statement that graphics and signage would be discussed at a later hearing. The scrim would be only on the south and southwest corners of the building. He added that moving toward the north, the images showed only the building's skin.

Mr. Lovell asked if there were any other long-term benefits to this type of skin, such as sustainability, and energy efficiency, adding that it should also be timeless in terms of not eventually looking like a dated fad. He noted that Lee's Summit did not have industrial style metal panel buildings when the UDO was first created. Mr. Drayer answered that the color in particular was chosen because it would work with the detailing and color on the existing building. Zinc in particular had been chosen specifically for its durability. The system itself was considered a rain screen, which meant that it would shed water but also 'breathe' in an air space between the weather barrier and the panels. This would avoid problems with mold and mildew over time, and allow for any moisture to easily evaporate and escape. Rain screen systems had been used for the last 20 or 30 years and had proven to be healthier and environment-friendly.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:30 p.m. and asked for discussion among the Commission members, or for a motion.

Ms. Arth remarked that she liked the look of the new elevations. Two of her three children had graduated Lee's Summit High School and the third was currently attending; and she especially liked the buildings being connected. It might make movement between classrooms between periods easier and more efficient. She acknowledged that this involved public money earmarked for the schools; however, at the time this was voted on no one had foreseen the impact of the current pandemic and students being out of school as a consequence. She asked if the schools' needs had changed since this had gone before the voters. The building planned

might well be empty for a while in the near future; and the damage to the local school system had been significant. Her own children would be attending different schools starting next week; and many other local parents were doing the same thing. She added that she did intend to vote for approval of this application.

Mr. Lovell agreed with Ms. Arth's remarks, but noted that this application was specifically for the use of metal panels. He did have a concern that the School District was moving forward with multi-million dollar projects under the current circumstances. He had attended Lee's Summit public schools from kindergarten through high school; but his family had moved their own children to private schools. A deteriorating tax base was a potential problem, and it might be wiser to put these expenditures on hold for the present. He acknowledged that the current application was well within the Commission's purview.

Mr. Sanning stated that he supported the project. He was also a graduate and mentioned that walking to the next class had been uncomfortably cold in the winter, and this kind of design was long overdue. The community's support of the bond had given the City a clear direction, and he liked the facade and design.

Mr. Sanning made a motion to recommend approval of Application PL2020-304, Preliminary Development Plan: Lee's Summit High School exterior materials, 400 SE Blue Pkwy; Gould Evans, applicant. Mr. Trafton seconded.

Chairperson Funk asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Board Member Sanning, seconded by Board Member Trafton, that this application be approved. The motion carried by the following vote:

Aye: 7 - Chairperson Funk
Board Member Arth
Board Member Jana-Ford
Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

Absent: 2 - Vice Chair Dial
Board Member Loveless

[2020-3787](#) Public Hearing: Application #PL2020-067 - REZONING from CP-2 to RP-3 and PRELIMINARY DEVELOPMENT PLAN - Multi-family Lots 1-53 & Tracts A-C, 3817 & 4001 SE M-291 Hwy; Engineering Solutions, LLC, applicant

Chairperson Funk opened the hearing at 5:36 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Matt Schlicht gave his business address as Engineering Solutions at 50 SE 30th Street in Lee's Summit. He described the project as a rezoning from commercial to residential use; and a preliminary development plan for a duplex and four-plex community. It would be located at the southeast corner of US 50 and M-291 highways. The applicants had held two neighborhood meetings, with the first meeting occurring last January at the Shamrock golf course. The 50 or 60 attendees had been from the nearby developments of Belmont Farms and Saddlebrook. The meeting had included discussions of multiple aspects from stormwater runoff to traffic improvements. The attendees had generally been more supportive of this proposed development than the previously approved commercial development in the area. A second meeting via Zoom had been held last week, though this had involved only one neighbor to the south. The development would not be directly at that corner. Some commercial ground would remain, and some of the zoning was industrial at present. On the displayed

map, Mr. Schlicht pointed out the locations of the subject property, Saddlebrook and Belmont Farms to the south and M-291 to the west. As commercial development continued along the M-291 corridor, multi-family use could be a transition to the single-family development to the south.

The site was 48 acres, with a total of 56 lots proposed and a total of 184 units. The total 36 buildings were called "pinwheels" and were essentially four-plexes with two units facing one direction and the other two facing the opposite direction. The development would also include twin villas, another variant of duplex housing. The 20 twin villas would have 40 units and the 36 four-plexes would have 144 units, for a total of 184 dwelling units.

Concerning stormwater management, this development would have two different drainage points, one on the southwest side and one on the southeast side. Of the total 48 acres, 28 would remain as common ground. Some of this might be later developed, but a very large green area would be on the southwest and southeast corners. This section would have walking trails and a one-acre pond that would be retention for stormwater. The parking would include 53 community spaces in addition to other parking.

Mr. Schlicht then displayed a land use map from the Comprehensive Plan, which showed the subject property as Planned Mixed Use. It was at one corner of the M-150 Overlay district. It was currently zoned CP-2, plus a small area with industrial zoning that would probably have commercial zoning in the future. The application requested rezoning to RP-3. The displayed overall plan showed four phases, with Saddlebrook to the south, M-150 highway to the north and M-291 to the west. Phase 1 would be in the southwest part of the property, with four-plex units. Phase 2, in the northeast corner, was a mixture of four-plexes and duplexes, as were Phase 3 at the south end and Phase 4 on the east side. Mr. Schlicht pointed out the loop road and access points in Phase 2. It would provide fire access and met all criteria for access points. The third phase would also have its own loop, and the final Phase 4 would include a road off to the east and some currently undeveloped ground.

Mr. Schlicht then displayed photos of homes similar to the residential development planned for the property, some of which was traditional attached housing. Styles, colors and materials were consistent with established residential development nearby. An aerial view of Trails of Park Ridge near Woods Chapel showed the "pinwheel" configuration of the four-plexes, with two units on each side separated by a common back wall. They also had common driveways and access points. The view also showed some standard twin villa units.

Regarding parking, the development would have 53 on-street parking spaces that were shown in orange on the displayed site map. These would be in addition to the parking spaces provided for residents and would be used by visitors and service people. Each unit would have a two-car garage, with enough space in the driveway for two parked cars. Additional parking spaces would be provided between the pinwheel units. These had not been including in the overall parking space count, as he had wanted to wait for a decision of what the units would look like. If the garage, driveway and street parking, the development would have a total 789 parking spaces. That was almost double the 368 spaces required for a development of this size.

The applicant supported staff's 12 Conditions of Approval, with the except on Condition 9, which read that "Approval of the SE Paddock Drive street extension shall be conditioned upon support and waivers granted by the City Engineer for the proposed design of the roadway alignment/curve extension from the Estates of Saddlebrook to Old 291 Hwy (frontage road), inclusive of the substandard "knuckle" at the turn and sidewalk omission. Design modifications shall be required if the design is not supported/waived by the City Engineer, or a change is made to the street design to provide a standard cul-de-sac to replace the existing temporary cul-de-sac." Staff had sent an email this afternoon that modified it somewhat; but this was the condition related to the extension of Paddock Drive. Mr. Schlicht pointed it out as an

elongated street in Saddlebrook. It was developed in 1994 in the second phase of the Estates of Saddlebrook, and came off the main drive, terminating at the south property line with a temporary cul-de-sac that was built in the same year.

The street included 21 houses; and when the applicant had talked with those residents at the meeting, none of them were in favor of the continuation or any extension of that roadway. Staff had provided two options. One was for a permanent cul-de-sac, which would require an additional right-of-way from one of the surrounding properties. The other was to develop a plan to create an access to M-291. None of the neighbors were interested in the option for a cul-de-sac, so they developed a plan to make a road connection. It involved a section of road that did not meet City standards but could be an acceptable way to make that connection. The connection was not a fire safety requirement; however, in 1994 when the road went in, it had terminated at the edge of a creek channel and was located in a flood plain.

The applicants' plan involved Paddock Drive, which was in Saddlebrook and terminated on the subject property's south boundary. The applicants had worked with staff to extend it into the subject property as a road section which would lead to an access point at the outer road. However, the flood plain and creek channel were in this area; and the reason for the request was the existing cul-de-sac that had been in use for the last 26 years, and it was not a requirement for fire safety; which was why the applicants were requesting for the removal of Condition 9.

Following Mr. Schlicht's presentation, Chairperson Funk asked for staff comments.

Mr. Soto entered Exhibit (A), list of exhibits 1-19 into the record. He displayed the Aerial and Zoning map, noting that the subject property had been zoned AG until 2007. A previous plan had been to develop 355,000 square feet of commercial use. Due to the financial crisis in 2008, this had not happened so this was now an undeveloped piece of property with commercial zoning.

Mr. Soto reviewed the information that Mr. Schlicht had presented. The current proposal was for 184 dwelling units on 48.2 acres, with 20 twin villas for a total of 40 units and 36 four-plex villa buildings for a total of 144 units. The density would be 3.8 units per acre. 489 parking spaces would be provided and the development would have two access points for vehicles. The exterior materials palette included wood panels and shingles, masonry of various types and fiber cement siding. Lap siding used would not include vinyl or metal.

Staff had received some public comments and concerns about this development. The three general concerns were traffic on Old M-291 highway, stormwater runoff and the impact on sanitary sewers. The City had no jurisdiction over the outer road, as it was a MoDOT facility. After reviewing the traffic impact study, MoDOT had not recommended any improvements. The intersections were rated "B" or better, on a scale of A (best) to F (worst). The property was adjacent to a streamway, and water runoff would be managed on site through a one-acre retention pond that would also be an amenity as a water feature. The site plan showed an internal system of walking trails around the pond.

A memo and map had gone out earlier today with a sanitary sewer analysis that showed two line segments where surcharging could occur. They were about a half mile south and east of the subject property where Saddlebrook East subdivision backed up to Belmont Farms. One of the Conditions of Approval was to improve these segments including an 18-inch pipe replacing the existing 15-inch one. An upsizing agreement would enable the City to further improve these segments and upgrade the sanitary sewer for full buildout of the area by installing a 24-inch pipe.

Staff generally evaluated possible development on the basis of both the impact on existing land uses and the development's compliance with the Comprehensive Plan. The proposed

development would be between commercial and industrial uses to the north and single-family homes to the south; and would provide a transition between these two uses. Mr. Soto confirmed that the current zoning had been in place since the 2007 approval of a proposed retail center. The current proposed development would rezone the property from commercial to residential; so it would have much less impact on existing residential uses nearby than the existing zoning would.

The property was on a floodplain on the south and boundaries, and the stream would provide both a visual and physical barrier between commercial use and the single-family development to the south. The stream and floodplain did not allow for connecting the single-family to the multi-family development. The roadway being proposed with the Paddock extension would go directly to the outer road, so the abutting developments would have no cross access. Regarding residential architecture and materials, these were consistent with similar developments elsewhere in Lee's Summit, with the most recent example being the Trails at Park Ridge.

This application had two Conditions of Approval. The first was unchanged from the current staff report and required a development agreement between the developer and the City that would address any needed off-site sanitary sewer improvements. No building permits would be issued until written proof was provided of this development agreement being recorded by Jackson County. The second was based on the sanitary sewer analysis and required the increase in size of the two identified pipe segments from 18 inches to 24 inches.

Following Mr. Soto's comments, Chairperson Funk asked there was any testimony either in support for or opposition to the application.

Ms. Mary Totten gave her address as 320 SE Canter Circle in Belmont Farms. Her property was adjacent to the streamway at the back, so the flood plain was partly in her lot, and she was on the east side of the creek. She had read the remarks from the project's engineers and had noted that questions and things that needed to be fixed were unchanged from June to late October. About ten days ago a stake with a red flag had appeared on that flood plain portion, and no one had yet directly contacted her. She had not even found out who had put it there. The same kind of stake had appeared in the back yard of a neighbor to the south. The stake was not on the part of his property that included part of the flood plain. She asked for some information about why the stake was there. Chairperson Funk speculated that it might be part of a site survey, but the applicant could probably provide more information.

Ms. Totten added that a lot of bank erosion on that stream was also a concern, especially in view of the speed and volume of water that went through the stream during a hard rain. She recalled that a few years ago the City had wanted to do project to mitigate that erosion and had wanted a tax assessment from the residents along the creek to pay for it. However, that had never been done. She also wanted some information about the location of the sanitary sewer line. When she had talked with Mr. Kent Monter, they had discussed utility easements but the one for her property was on the other side of the creek. She added that the capacity of the sanitary sewer was a major issue for people in the area. The engineer had said that 50 units was the absolute maximum for Phase 1 on this project and wanted to know if that was being adhered to.

Mr. Randy Bordner, attending the meeting via Zoom, stated that he and his family owned the property, 11.2 acres, located a little north. It was zoned for commercial/industrial use. He had no objection to the rezoning but he had seen a map showing a proposed collector road due east of the foundation recovery system building and a little south of M-150 highway. This road might be very destructive to his property, as it might go down the middle of it. Much of his property had already been taken for the interchange where the foundation recovery building now stood. The acreage he had now was an oddly shaped remnant, and the proposed development would destroy what was left of it.

Chairperson Funk then asked if the Commissioners had questions for the applicant or staff, stating that the responses might address some of the questions already raised.

Mr. Sanning asked if at this point Mr. Schlicht and Mr. Monter could answer some of the questions Ms. Totten and Mr. Bordner had asked. Chairperson Funk answered that they could.

Mr. Schlicht was not certain about the survey stake in Ms. Totten's yard. He had been in the area about 6 months ago in connection with the sanitary sewer issues and had not seen one but believed that it might be someone doing a survey. Concerning the bank erosion, he remarked that in any natural drainage way Nature would continue to eat up the channel on one side. The development team and engineering firm could design the subdivision to provide stormwater controls. These controls would help reduce and manage the stormwater runoff created on the subject property. They would create a better situation downstream, but this area was 48 acres on a 500-plus acre watershed. He assured that the development team and his engineering firm would take care of their responsibility; and the wet basin would actually be part of that.

Mr. Schlicht then displayed a diagram of Belmont Farms' second plat, and pointed out the location of Canter Drive, where Ms. Totten lived. The sanitary sewer line extended inside of an existing easement, down to the city limit on the south side that led into Lake Winnebago. Staff had suggested replacing the first two segments on the tract area on the east side of the creek. Another displayed map showed the two segments that would be upsized from 15 to 18 inches. Staff was willing to participate in further enlarging it to 24 inches to accommodate the demand at full build out.

Mr. Schlicht emphasized that the development team appreciated staff's report and the work they had done in finding these two segments. He did not believe that the property directly adjacent to where the sanitary sewer was being worked on included Ms. Totten's property, as that property was a little to the north. If anyone in Belmont Farms was directly affected, members of the development team and engineering firm would definitely discuss the issues with them.

Mr. Schlicht again displayed the map of the project's four phases. The first would be on the southwest side of the property, and would include two twin villas. Most of the rest of the dwelling units would be 11 of the four-plex 'pinwheel' buildings, with a total of 44 units. Mr. Schlicht confirmed for Chairperson Funk that Phase 1 would involve a total of 48 dwelling units. Phase 2 would provide the connection and secondary access to the outer road.

Mr. Sanning said he had wanted some clarification on whether the infrastructure was taken into account when proposing this kind of project. Mr. Schlicht noted that Engineering Solutions had done a lot of work in Lee's Summit and so he was familiar with a good portion of the area including the areas with problems. The City also did updates of the wastewater and stormwater plans from time to time. An application included a preliminary meeting, and staff had helped identify the issues and the problematic areas. In this case, the sanitary sewer was a surprise, as this was not a studied area; however, the sanitary sewer analysis showed some areas downstream and the City's water services and development services had worked on ways to find a solution that would improve the specific area as well as the watershed itself.

Mr. Sanning then asked if there was a way for the City to mitigate the creek bed erosion that Ms. Totten had mentioned, including the tax assessment. Mr. Monter answered that the area along that stream had consisted of assigned tracts of land that backed up to individual lots. These were actually owned by the owners of the lots. That meant that the residents owned the stream as well as its banks, as they were not in a tract owned by an HOA. That was not the approach the City currently took but was how this was done in the past. Consequently, the City could not require the developer to do this kind of improvement. Public Works employees

had been studying the area in the past and had made recommendations; but with the land being privately owned this was not something the City could get involved with. The exception would be if the situation would have an impact on public infrastructure.

Mr. Sanning asked Mr. Elam if there something the City could do to protect what these residents had in their communities. He appreciated the concern but wanted to understand whose obligation it was and what contributions needed to be made. Mr. Elam confirmed that the stream and its banks were privately owned, and this was a common situation throughout the community. This meant that maintenance was essentially the responsibility of the land owners living on or near the stream. This was addressed in the development process via the stormwater controls and the design requirements available to the City, through some of the engineering controls. Devices such as detention and retention basins were put into place in order to mitigate negative impacts associated with the land development. These would not necessarily fix an existing issue on downstream properties. Essentially stormwater controls were put into place via the design guidelines but long term maintenance of a creek bank was the responsibility of the property owners.

Chairperson Funk noted to Mr. Elam that Ms. Totten had mentioned the City getting involved in a tax assessment. Mr. Elam said he was not familiar with this issue, and Mr. Monter said he was not sure what Ms. Totten was specifically referring to. In previous years, senior staff engineers from the Public Works Department had visited and evaluated this area, and they had also reported that these were privately owned areas. If residents were to organize and create something like an HOA, some kind of assessment might be done. This would be a separate process from anything the City was involved in.

Mr. Monter displayed a map that showed Lot 62, which was Ms. Totten's property as well as the additional tract mentioned earlier. At that point the stream ran about parallel to the sanitary sewer line in the easement on the opposite side from Ms. Totten's property.

Regarding the collector road, Mr. Schlicht pointed it out on the displayed land use master plan map of the property. The east-west collector road would be put in as part of the development; and the north-south collector that intersected it had not been proposed by the applicant, as this was part of the City's overall plan for the area. He assumed that in the future the developer would work with the City to synchronize the City's land use plan with the specific development plan.

Mr. Bordner asked if the point where the north-south road changed color indicated the existing street. Mr. Schlicht pointed out the east-west road that extended over to the east property line. The owner of the east 80 acres would eventually try to figure out how to get some type of north-south route to connect that east over to Doc Henry at some point, down the road when the development started, Those were ideas that need to be worked through when the site was being developed.

Mr. Park stated to Mr. Bordner that it was not certain that the collector road would go through the park property. It was part of a long-range transportation plan coupled with a long-term zoning plan. The City would have to adapt to address specific needs as each property was developed. The collector street on the map was not likely to happen, due to too many physical constraints but it was reasonable for a collector to serve adjacent properties. The alignments of these roads were likely to change; however, properties along M-150 would not have any access to the highway so they would need some kind of transportation network. The alignments were still a subject for discussion; but none of the other road networks were confirmed as part of this project. The collector street shown in light yellow was a residential collector street. The commercial collector street shown might not be used, as this was primarily a residential development.

Mr. Bordner believed that MoDOT had provided for two accesses. One would be the one

directly onto M-150 and the other was to the outer road. He asked if there were any preliminary plans for the use of the east 80 acres that Mr. Schlicht had mentioned. Mr. Park said that this public hearing was about this particular application but Mr. Bordner could contact Development Services with any additional questions.

Chairperson Funk asked Mr. Schlicht who the developer was. Mr. Schlicht explained that it was a group of 5 or 6 investors from related development fields, called the "M-291 Investment Group", who had owned the property for a number of years. Chairperson Funk then asked if the housing would be for sale, lease or rent.

Mr. Matt Dennis gave his address as 6750 W. 93rd Street in Overland Park. He was the managing partner of the group of nine investors who had owned this property for several years.

It had originally been zoned CP-2, so a zoning change was needed to develop the villa concept. They had met with representatives from Saddlebrook a few times, and had very good attendance for the first meeting. He confirmed that these properties would be for sale. Prices would be in the mid-\$300,000 range and would have maintenance provided. The buyers would most likely be empty-nesters who were downsizing and young families. The group's builder development partner was Mr. Jim Lambe, of Lambe Custom Homes in Johnson County, Kansas. He had a long history of quality building in the metro area. Chairperson Funk asked about amenities, and Mr. Dennis cited the abundant green space and additional parking. They were currently working on adding a clubhouse and dog park.

Chairperson Funk remarked that this price range was not likely to suit a lot of young families. Mr. Dennis answered that these prices were likely to attract buyers such as police officers, teachers and young professionals. The price cited as attainable for many people in today's economy and he was working with some Lee's Summit real estate companies to market the properties and the price was consistent with the median income in the area.

Chairperson Funk asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 6:37 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Lovell remarked that considering current construction costs, \$300,000 was actually on the lower price range. He believed that this type of product was what he had bought when he made the change from apartment to a private home. \$300,000 was essentially the entry level price at present and was a good alternative to multi-family housing or renting.

Mr. Sanning believed that the price point was rather high considering the current economy; though he was not sure that this would be a good price for newer teachers, police officers or firefighters. This project represented the community creating a transitional opportunity.

Mr. Kitchens believed this kind of housing was the wave of the future. He added that the per capital tax base in single-family neighborhoods was often offset by infrastructure costs. He did understand the citizens' concerns about development. He considered the \$300,000 price to be totally appropriate and had no concerns about it.

Mr. Trafton agreed with Mr. Kitchens' comments, and felt that \$300,000 for a multi-family dwelling was on the lower end of Lee's Summit's median price. He noted that the property did include a lot of green space but he did not see any other amenities in the plan, and asked if the plan included anything like walking trails. Mr. Trafton suggested that as the property developed, those involved should look for a way to utilize the green spaces and waterways. He also liked the idea of providing new modern product for the area.

Ms. Arth agreed with the previous comments. She speculated that many people who had been renting might prefer to buy a maintenance-free home that they could build some equity

in.

Chairperson Funk liked the idea of maintenance free housing that was for sale and not for rent. He hoped that the City would continue to offer this kind of high end product. He then asked for a motion.

Mr. Trafton made a motion to recommend approval of Application PL2020-067: Rezoning from CP-2 to RP-3 and Preliminary Development Plan, Multi-family Lots 1-53 & Tracts A-C, 3817 & 4001 SE M-291 Hwy; Engineering Solutions, LLC, applicant. Ms. Arth seconded.

Chairperson Funk asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Board Member Trafton, seconded by Board Member Arth, that this application be recommended for approval to the City Council - Regular Session, due back on 12/8/2020. The motion carried by the following vote:

Aye: 7 - Chairperson Funk
Board Member Arth
Board Member Jana-Ford
Board Member Kitchens
Board Member Lovell
Board Member Sanning
Board Member Trafton

Absent: 2 - Vice Chair Dial
Board Member Loveless

Roundtable

Mr. Elam reminded the Commission about the next week's virtual open houses for the Comprehensive Plan. They were scheduled for Monday through Thursday of next week and those interested could sign up online at IgniteOurFuture.net.

Chairperson Funk noted that there had been a number of applications where sewer improvements were brought up. He asked if the City had a long term look ahead to that type of infrastructure in areas where they knew development would occur. Mr. Park said that the City had an on-call consultant who prepared wastewater master plans. They took into account what uses were planned for specific areas and they were working with the consultants based on the wastewater master plan. Water Utilities did flow monitoring to make sure they were applying the correct criteria. Sometimes recommendations were influenced by things like infiltration and inflow.

Mr. Elam added that the wastewater master plan had been completed in 2006 and it was currently being updated. The update would be completed at about the same time as the update of the Comprehensive Plan. The water master plan would be updated after that.

Adjournment

There being no further business, Chairperson Funk adjourned the meeting at 6:55 p.m.

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