

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

Thursday, April 25, 2019
5:00 PM
City Council Chambers
City Hall
220 SE Green Street
Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 7 - Board Member Carla Dial
Board Member Jason Norbury
Board Member Don Gustafson
Board Member Donnie Funk
Board Member Jeff Sims
Board Member Jake Loveless
Board Member Mark Kitchens

Absent: 2 - Board Member Dana Arth
Board Member John Lovell

Approval of Agenda

A motion was made by Board Member Funk, seconded by Board Member Dial, that this agenda be approved. The motion carried unanimously.

Public Comments

There were no public comments at the meeting.

Approval of Consent Agenda

[BILL NO. 19-105](#) An Ordinance accepting final plat entitled "Winterset Valley, 13th Plat, Lots 1472 thru 1487", as a subdivision to the city of Lee's Summit, Missouri. (Note: First reading by City Council on May 7, 2019. Passed by unanimous vote.)

A motion was made by Board Member Funk, seconded by Board Member Gustafson, that this Final plat be recommended for approval to the City Council. The motion carried unanimously.

[2019-2707](#) Minutes of the April 11, 2019, Planning Commission meeting

A motion was made by Board Member Funk, seconded by Board Member Gustafson, that the minutes be approved. The motion carried unanimously.

Public Hearings

[2019-2695](#) Appl. #PL2019-071 - Preliminary Development Plan - Paragon Star Village, approximately 36 acres generally located at the northeast corner of I-470 and NW View High Dr; Paragon Star, LLC, applicant

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be continued to the Planning Commission, due back on 5/9/2019. The motion carried unanimously.

[2019-2716](#) Appl. #PL2019-075 - REZONING from AG to CP-2 and RP-4, CONCEPTUAL DEVELOPMENT and PRELIMINARY DEVELOPMENT PLAN - Summit Village North and Aria, approximately 62 acres generally located at the northwest corner of NE Douglas St and NW Colbern Rd; Aria LS, LLC, applicant (continued to a date certain of May 23, 2019, at staff's request)

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be continued to the Planning Commission, due back on 5/23/2019. The motion carried unanimously.

[2019-2715](#) Appl. #PL2019-091 - SPECIAL USE PERMIT renewal for automotive sales - Lighthouse Automotive, 1 SE 30th Street; Sam DiGiovanni, applicant

Chairperson Norbury opened the hearing at 5:06 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Sam DiGiovanni, owner of Lighthouse Automotive, stated that he had purchased this property from the Picard family, who had owned it for about 15 years. He intended to continue to operate the pre-owned vehicle business as it had been for those years. He had made a few improvements to the building's appearance but did not plan any changes to it or to the property. The cars for sale would be a little more upscale.

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

Mr. Soto entered Exhibit (A), list of exhibits 1-14 into the record. He displayed an aerial and zoning map showing the location at the southeast corner of 30th Street and the old M-291 highway, now the outer road that ran parallel to the present M-291. It was directly north of Sunbelt Rentals, which was zoned CS [Commercial Services], as was the office-warehouse use to the east; which were shown on the map in light pink. A PI zoned MGE facility was further to the east. The golf course to the south was zoned AG. The property consisted of the existing 1,248 square foot building and its 37 parking and display spaces. The proposed hours of operation were 9:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 3:00 p.m. Saturday. Additional photos showed the existing facility. He confirmed Mr. DiGiovanni's testimony that no expansion of the building or parking lot was planned in the near future.

The current 10-year Special Use Permit was originally granted on September 21, 2000. It was renewed for another 10 years on November 4, 2010. In that time only one violation had occurred when vehicles were parked and displayed on grass, in September of 2018. This was addressed promptly and the case was closed on October 17, 2018. Mr. Soto remarked that this was a common occurrence with car dealerships. They were required to park and display vehicles on asphalt or concrete. Staff recommended approval of the SUP renewal, for a period of 10 years.

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Following Mr. Soto's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then opened the hearing for questions for the applicant or staff.

Regarding the violation, Mr. Loveless asked the applicant if the business was currently in compliance with the statute, and Mr. DiGiovanni replied that it was.

Chairperson Norbury asked Mr. Soto if the new Special Use Permit was necessary because the property's ownership had changed. Mr. Soto replied that a change in ownership did not require a new SUP. It could be transferred. In this case, the permit would expire in 2020 and the applicant wanted to go ahead and renew it now. Typically a renewal of an SUP that was current would go into effect when it was approved by the City Council.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:17 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk made a motion to recommend approval of Application PL2019-091, Special Use Permit renewal for automotive sales: Lighthouse Automotive, 1 SE 30th Street; Sam DiGiovanni, applicant; subject to staff's letter of April 19, 2019, specifically Recommendation Item 1. Ms. Dial seconded.

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

A motion was made by Board Member Funk, seconded by Board Member Dial, that this application be recommended for approval subject to staff's letter of April 19, 2019, specifically recommendation item 1 to the City Council - Regular Session. The motion carried unanimously.

Other Agenda Items

Roundtable

There were no roundtable items at the meeting.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 5:20 p.m.

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