The City of Lee's Summit

Action Letter - Final

Planning Commission

Thursday, November 14, 2019

5:00 PM

City Council Chambers
City Hall
220 SE Green Street
Lee's Summit, MO 64063

Call to Order

Present: 7 - Board Member John Lovell
Board Member Jake Loveless
Board Member Carla Dial
Chairperson Jason Norbury
Board Member Terry Trafton
Board Member Jeff Sims
Board Member Dana Arth

Absent: 2 - Board Member Mark Kitchens
Vice Chair Donnie Funk

Roll Call

Approval of Agenda

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

Public Comments

There were no public comments at the meeting.

Approval of Consent Agenda

BILL NO. 19-269 — An Ordinance vacating certain utility easements located at 1695 SE Decker Street and 60 SE Thompson Drive in the City of Lee's Summit, Missouri. (Note: First reading by Council on December 3, 2019. Passed by unanimous vote.)

A motion was made by Board Member Dial, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 12/3/2019. The motion carried unanimously.

2019-3143 — Appl. #PL2019-370 - SIGN APPLICATION - Edward Jones, 500 SW Market St; Fastsigns, applicant

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

2019-3114 — Minutes of the October 24, 2019, Planning Commission meeting

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

Public Hearings

2019-3140 Public Hearing: Application #PL2019-305 - Preliminary Development Plan - Main Orchard, 510 NE Main Street and 6 NW Orchard Street; Engineering Solutions, LLC, 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. Matt Schlicht of Engineering Solutions gave his address as 50 SE 30th Street in Lee's Summit. The project was located on the west side of Main Street, north of Orchard Street; 510 Main and NW Orchard. This was a vacant property, about 2.5 acres. One existing home on 510 Main dated to about 1920 and was a bungalow-style, front porch home with a dormer and a gravel drive but no garage. The proposal was to divide the property into six residential lots, adding a garage and an above-garage loft space to the existing home. The other five lots would be sold. The applicants had provided staff with a memorandum of ideas, outlining the applicants' preference for the size and style of the homes, with the developer providing some help with what the applicant wanted to see. They wanted to leave the existing home in place, with the new homes being the early-mid 20t century style of 'foursquare' bungalow style with dormers, front porches and garages in the back.

The sheet that the applicant had given the Commissioners a summary of the house characteristics. They would be a minimum 1,000 square feet, with each having a garage, including the existing house; and each would have a front porch covering at least 50 percent of the front side and a minimum 6-foot depth. All would be one or two stories with a dormer on the two-story houses. These would all be consistent with the Craftsman style that was common throughout the Downtown area. The driveway width would be limited to 16 feet at the front and side, in order to keep the streetscape more similar to the older style.

A neighborhood meeting had been held at the Gamber Center, with all residents within a 300-foot radius of the property invited; however, only 3 neighbors attended. They had asked if the homes would be rentals, and he had replied that the lots would be sold for development. Mr. Schlicht noted that many of the same people attended these meetings: young couples who wanted to purchase a Downtown home. This would provide someone to have their desired home built. These houses were in the $200,000-$300,000 range.

Mr. Schlicht displayed a colored example of what the houses would look like. Each would be built slightly above grade with a welcoming stairway/porch entry. Each would have a sidewalk from the front steps to the public sidewalk. Like the style, the colors and materials would be standard for the older Downtown neighborhoods: shake shingles or Hardiboard siding, real stone or brick veneers. He wanted to avoid using vinyl or metal sidings or stucco. Colors would be low-contrast, but color palettes were provided for buyers who wanted a slightly different color.

Originally, the Old Lee's Summit development master plan had identified this specific area, and some areas to the west of it, as being parts of the Downtown core that were under-utilized. The applicants believed that this plan was consistent with the plan. Mr. Schlicht then displayed a photo of the existing home at 510 Main Street. It had been built in the early 1920s and was currently being rented. The house was 1,100 square feet, had a stone foundation and a faux dormer at the top. The plan was to add a garage with a loft behind it, and to replace the gravel drive with a concrete one. Other photos showed the interior of the existing house.

Mr. Schlicht stated that he had worked with staff to control some of the stormwater from nearby houses. He showed a diagram of individual detention pits. Stormwater would be piped down from all the roofs, downspouts and hard surfaces into the pit area for each lot. A rock chamber below would store water during major rain events. It was basically a design for a

rain garden. Rain gardens reduced some of the peak runoff that would go downstream.

The applicants were asking for one modification. The rule for the RP-2 zoning district dictated that a garage could not be any taller than the principal structure. That would rule out a loft above a garage in this case. He had done a sight line survey and showed that the garages would be far back enough to not be visible above the roofs of the houses.

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

Ms. Thompson entered Exhibit (A), list of exhibits 1-17 into the record. She confirmed that the applicant was submitting a preliminary development plan for five single-family homes at the northwest corner of NW Orchard and NE Main Street. This property and the surrounding properties were zoned RP-2, for planned two-family residences. She displayed a slide of the proposed site plan, showing the five vacant lots and one existing home; and footprints for the five proposed homes. She showed a number of elevations for similar structures, adding that once a residential building permit was submitted to the City, the planning staff would review these elevations to make sure they complied with what was approved. The modification request was for a detached garage with loft on Lot 3, with an overall building height of 26 feet. Staff did not support a detached garage that was taller than the principal structure, and requested that the garages conform to height limits.

Ms. Thompson confirmed that this area was part of the Old Downtown part of Lee's Summit. They were in favor of increasing the housing stock in the area, which this plan could do. Regarding sidewalks, they were required as part of the platting process; however, there were not many sidewalks in this particular area. The applicant asked for a waiver for a sidewalk along Orchard and to make a payment in lieu of construction. He did propose a sidewalk along NE Main Street, which would be constructed as each house was built.

The application had two Conditions of Approval. The detached garage would conform to the UDO requirements for building height, and the developer would pay the City of Lee's Summit for construction costs instead of constructing a sidewalk along NW Orchard.

Following Ms. Thompson'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 asked if the Commission had questions for the applicant or staff.

Mr. Loveless noted Ms. Thompson's mention that before a builder applying for get a building permit on one of these lots would have to submit plans that staff would approve as architecturally consistent with the rest of the neighborhood. Ms. Thompson stated that they would have to submit a plot plan along with residential plans, including floor plans and elevations. This required a review from a planner, who would check for approved elevations and complied with what was approved.

Mr. Loveless then asked Mr. Schlicht for some details about the stormwater collection plan. He noted that with connectivity among the lots and asked why they could not be tied in with the typical water system. Mr. Schlicht pointed out on the map the about 30 acres in the neighborhood that drained a large area through Olive. It had open ditches and few collection systems. The idea was for the individual houses to collect rainwater off the roofs on site and give each homeowner individual control. They would also have the opportunity to start rain gardens. Mr. Loveless asked if it was accurate that this would effectively create a net zero in terms of impervious surface, and Mr. Schlicht replied that it was.

Mr. Loveless asked about driveways. Mr. Schlicht pointed out the two houses, including the existing one that would have two large maple trees on each side, and a corner with a few more large trees. One of the houses would be built behind the trees, which would enable landscaping along the north side with a long driveway. This was typical of the old Downtown

neighborhood, which had houses built varying distances from the street instead of just a row of houses directly next to each other. Mr. Loveless noted that Mr. Schlicht planned to keep the existing home but add a garage behind the home that would be taller than the house. Mr. Schlicht explained that he planned to build a garage with loft behind the existing house at 510 Main. He had discussed this with staff, and determined that a garage with loft could be permitted, up to a height of 40 feet. If the garage was first built and a loft added later it would not comply with the UDO. The garage was part of this application; but he would not ask for a modification at this time.

Mr. Trafton asked why Lot 1 was offset so far back. Mr. Schlicht stated that he wanted to keep the trees on the lots, and the lots had different characteristics, and provided different opportunities for buyers. A buyer could choose the narrow, elongated 60-foot lot or the corner lot which was a little bit larger. These lots reflected Downtown's unique character and lent itself to providing different opportunities. The L-shaped lot at the north end in particular made a bigger building and a choice of location for the garage. It was an opportunity to do something different.

Concerning the detention pit, Mr. Trafton said he assumed these were not tied to any kind of runoff from the street, but would provide a way to collect the water and let it naturally move into the system. He asked if there were other parts of Lee's Summit where this had been tried successfully. Mr. Schlicht did not know of any within the city limits, although a rain garden would be somewhat similar. They did lots of redevelopment in Leawood, Fairway and Prairie Village, tearing down homes and rebuilding in infill sites, and were using this system. It seemed to function well. With no infrastructure for stormwater, the water would just either run across the ground and continue onto another property or be diverted into a large detention basin that that was used by a number of residents. The latter was often a headache.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:32 p.m. and asked for discussion among the Commission members, or for a motion.

Ms. Dial made a motion to recommend approval of Application PL2019-305, Preliminary Development Plan, Main Orchard, 510 NW Main St and 6 NW Orchard St; Engineering Solutions, LLC, applicant; subject to staff's letter of November 7, specifically Conditions of Approval 1 through 11. Mr. Trafton 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 Dial, seconded by Board Member Lovell, that this application be recommended for approval to the City Council - Regular Session, due back on 12/3/2019. The motion carried unanimously.

2019-3144 Public Hearing: Application #PL2019-307 - Rezoning from AG and R-1 to RP-3 and Preliminary Development Plan - Osage, approximately 32 acres located at the southwest corner of SW M-150 Hwy and SW Pryor Road; Clayton Properties Group, Inc., applicant.

Chairperson Norbury opened the hearing at 5:34 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. John Erpelding of Olsson stated that Mr. Vince Walker and Mr. Travis Roof of Summit Homes were also present. They proposed a rezoning and preliminary development plan for Osage, which would cover about 31.5 acres at Pryor Road and 150 Highway. It would consist of a total 160 units. Mr. Erpelding displayed a color-coded map showing the different types of housing product. They planned 32 single-family homes, 22 two-family structures named "Twin Gallery", in the middle and 21 four-family townhomes. The property also included 16 common

area tracts that would be used for detention, landscaping, buffer areas, monument signs and amenities. These tracts totaled about 6.3 acres, about 20 percent of the property.

Osage was to be developed in three phases, and Mr. Erpelding pointed out these phases, indicated by dashed lines, on the map. The first would have two points of access, one on Pryor and one on M-150. The latter would be a right-in-right-out intersection due to an existing median. Mr. Erpelding listed improvements associated with the first phase. These included monument signs at both entrances and on the M-150 and Pryor Road corner, the stormwater detention facility at the property's southeast corner, an off-site sanitary sewer extension reaching about 780 feet to the east and some street stubs to adjacent properties to the south and west that would allow for future connectivity. Some street improvements were also planned. The M-150 entrance would have an eastbound right-turn lane and some and both northbound and southbound turn lanes at the Pryor Road access. The northbound left turn lane on Pryor Road would be extended. They would add paved shoulders on both sides of Pryor along the length of the east side. As part of another project, Summit Homes would also widen and add paved shoulders further to the south, from County Line Road to the subject properties south boundary. These were interim road improvements. The second phase would focus on the northwest quadrant of the development. Streets would be looped for better connectivity; and the third phase would develop the southwest corner of the property.

The single-family lots would be 50 to 70 feet wide and 120 feet deep. The Twin Gallery structures would be on lots about 70 by 118 feet; and both would have a minimum of 10 feet between each structure. The townhomes would be on 140 feet wide and 120 feet deep, with a minimum of 20 feet between buildings. The applicant was not requesting any modifications to the zoning requirements, as they were meeting all the requirements for setbacks, density, lot widths and depths, landscape buffers or parking. They would provide 20-foot wide landscape buffers between adjoining properties, and these buffers would confirm to UDO requirements. Additionally, a five-foot tract would run along the south property line, to preserve the existing trees and fence. The streets would be lined with trees with 30-foot spacing.

They had held two neighborhood meetings. One was an unofficial one in August, and a formal neighborhood meeting on October 14th. This was also sparsely attended, with about five people; but everyone within 300 feet had been invited. Most of the questions were about prices. The applicant agreed with all of staff's Conditions of Approval.

Mr. Vince Walker addressed the project's layout and architecture. They had heard and taken into account the feedback they had previously received. In using a variety of housing designs, they were able to provide prospective buyers a variety of options. The four-unit detached townhomes would be at the property's north end bordering M-150. The Twin Gallery units would be in the center section, and the “Lifestyle Collection” single-family homes would be on the south side. A central amenity section would include a 25-meter lap pool and children’s' “splash” area, clubhouse pavilion and a park. These would be administered by a Homeowners Association. All homes would be built using the same quality materials on both exteriors and interior finishes. He then presented a visual video of what Osage was planned to look like. It showed the road system, considerable green space including trees, playground, pavilion, and various types of housing.

Following the applicant’s presentation, Chairperson Norbury asked for staff comments.

Mr. McGuire entered Exhibit (A), list of exhibits 1-16 into the record. He confirmed that the applicant was asking to rezone 31.47 acres at the corner of Pryor Road and 150 Highway from AG and R-1 to RP-3. The development would have 32 single-family lots, 22 two-family lots, 21 four-family lots and 16 common area tracts. The surrounding area was a mixture of single-family homes (to the north) and undeveloped properties (to the east and west). Large-lot single-family homes were to the south. The Napa Valley single-family subdivision was

to the southeast, and Grand Summit View and Arborwalk to the northeast.

Displaying colored elevations, of single-family and two-family dwellings and the proposed clubhouse Mr. McGuire observed that the applicant proposed to use materials and designs compatible with other nearby subdivisions and throughout Lee's Summit in general. Exteriors would be stone veneer, lap and panel or shake siding and composite shingle roofs. The requested RP-3 zoning would provide for medium-density mixed residential uses, and the project was generally consistent with the Comprehensive Plan, including the plan's objectives of providing diverse housing types. The maximum density would be 10 units per acre. Any deviation from the approved plan would require approval of a replacement preliminary development plan.

This project was compatible with existing and planned uses on surrounding properties. The 310-acre Arborwalk development was further to the northeast. This was also a mixed-use development that included single-family villa lots, standard single-family lots, duplexes, triplexes, fourplexes and apartments. Villa lots at Arborwalk were allowed a minimum size of 3,675 square feet. The 88-acre Napa Valley development was to the southeast. Napa Valley also had a mixture of single-family villa lots, standard single-family lots and estate-size lots. Napa Valley's villa lots had a minimum lot size of 4,950 square feet. This project's proposed 6,000 square foot minimum lot size for a single-family house was 2,325 square feet larger than the minimum at Arborwalk and 1,050 square feet larger than Napa Valley's minimum. If this application was approved, the plan would satisfy any requirements applicable to zoning district as outlined in the UDO and the Design and Construction Manual.

Following Mr. McGuire's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application.

Mr. Charles Ray gave his address as 4090 SW Pryor Road. He asked what the plans were for Pryor Road to the south, and asked where sidewalks would be. He noted that the small number of people attending the meeting was due to not many people living within 300 feet of this property. The neighbors who did live nearby had a nice park down the street that they had to get to on foot, so they knew that the traffic on Pryor Road had increased considerably. He knew that adding 160 housing units on that corner would increase the traffic even more.

Mr. Roofl stated that they had an obligation connected with Stoney Creek to make interim improvements to Pryor Road from County Line Road up to Pryor. The improved road would be 24 feet wide and restriped, with 6-foot paved shoulders on both sides up to Napa Valley's entrance. When the Osage project was completed, the road would be improved from Napa Valley to M-150 and additional rights-of-way were dedicated for future road improvements. This project would have sidewalks up to the property lines. The 6-foot paved shoulders could be used as pedestrian or bike lanes for the present.

Chairperson Norbury then asked if the Commission had questions for the applicant or staff.

Mr. Trafton asked if it was correct that the median on M-150 would be left intact, in order to prevent traffic problems generated by left terms. Mr. Walker answered that it was. Mr. Trafton then asked what the street widths inside the development were, remarking that the video had not shown cars parked on the streets and in driveways. There were likely to be many of them due to the fourplexes. Mr. Erpelding answered that they would be 28 feet wide, which was the City's standard for local streets. That was wide enough to allow for on-street parking. He acknowledged that cars parked on both sides could cause difficulties for other vehicles, including emergency vehicles. He displayed a parking diagram, with red lines indicating parts of streets in front of side yards. Parked cars would be less of a problem in those locations, as long as they did not block driveways. The plan identified a total of 77 on-street parking spaces.

Mr. Trafton then asked what was the reasoning for concentrating so much of the density in one north quadrant with about 180 residents. Mr. Walker answered that it was typical for this kind of land use to concentrate higher densities near a highway corridor and transition into lower-density product further down. M-150 would have a sidewalk just to the north side of the property line; but the interim improvements for Pryor Road did not require sidewalks on both sides. Mr. Trafton asked staff if this meant the Livable Streets ordinance would not require adding sidewalks on Pryor. Mr. Soto answered that Pryor would require sidewalks. He confirmed that for interim standards, the paved 6-foot wide shoulders could serve as a proxy for sidewalks until final improvements were made to the road.

Mr. Park noted that Pryor Road was in a state of transition from a rural to an urban roadway. The proposed improvements met the standards for an interim road, which Pryor Road was north of M-150 Highway. That meant a 24-foot width with turn lanes and paved shoulders required by the Access Management Code. The paved shoulders did serve as a pedestrian route in the absence of sidewalks. If Pryor was improved from this interim condition it would be brought up to urban standards which included curbs, sidewalks and traffic signals. At this point, the City's progression of Pryor started at M-150 and moved north to Longview Road. The capital improvement program had funds to begin develop Pryor to urban standard from Hook Road to Longview. After that, improvements would extend south from M-150 based on demand. Mr. Trafton asked if this meant that the City intended to just let kids and families walk on the road's shoulders; and Mr. Park replied that staff was following the standards that the City Council had adopted. They permitted an interim road standard at this point. It was within the Council's purview to require a development to exceed that standard. He added that if sidewalks were put in at this point, they would have to be torn out at the time that Pryor Road was improved along that stretch. At present, many people walked, jogged and ride bicycles on the paved shoulders of Pryor north of M-150.

Mr. Trafton asked what the average prices for the development were. Mr. Walker answered that the prices were not set at this time. They did intend to have three different price points. Concerning the parking, he pointed out that the development included two-car garages as well as 25-foot building lines. The latter allowed for two cars parked in a driveway as well. The subdivision's layout did follow the pattern of transitioning from a higher density at one end where there was a major roadway down to a lower single-family density at the opposite end. Mr. Trafton asked what the estimated square footage of the fourplexes would be. Mr. Walker answered that the townhomes would be about 1,500 square feet, with two-story and 1.5-story plans; and the Twin Gallery units would range from 1,300 to 1,900 square feet. The single-family homes would range from 1,500 to 2,500 square feet. All these units would have full basements. He did not specify the square footage of the fourplexes.

Mr. Lovell asked how many bedrooms the townhomes would have, and Mr. Walker answered that they would be 2 or 3 bedrooms. These would be for sale and not for rent. The streets were 28 feet wide from curb to curb. Mr. Lovell remarked at in New Longview where he lived, detached garages were in the back but residents had no room to park extra cars behind the garages, resulting in a lot of cars parked on the streets. Concerning the townhomes, he asked if they might be maintenance-free for yards. Mr. Walker answered that there had been discussion of that but nothing was finalized.

Chairperson Norbury remarked that much of tonight's application was in response to concerns raised in the previous application. Mr. Walker responded that the project as a whole had been a more uniform project, without the multiple home choices that tonight's version had. Much of the feedback they'd received had to do with the uniformity of the product. The elevations they'd shown had been contemporary; whereas tonight's version showed a 'modern farmhouse' look, which was a little more traditional. Traffic had also been an issue with the initial application; and the traffic impact would be less with tonight's plan then if the whole project had been a single-family development. 'Too much of one thing' was one of the criticisms they'd heard, and they had now provided more of a variety of choices. This was a

very conventional development in terms of what was provided in Lee's Summit. They had received feedback from the Napa Valley neighbors that this plan was a major improvement.

Mr. Walker confirmed for Chairperson Norbury that these units would all be for sale and not rentals. Chairperson Norbury recalled from the previous application that price points were $225,000 to $275,000, and asked about the prices of the townhome and duplex units. Mr. Walker answered that the single-family homes would be somewhat over $300,000. They did not have price points for the other housing. He noted that M-150 did not have a crosswalk.

Mr. Loveless left the meeting, at 6:16 p.m.

Mr. Ray returned to the podium and asked about people coming out of the subdivision making U turns off M-150 to go west. Mr. Park consulted the traffic study and replied that the current traffic count at peak hour was about 3 doing a U turn at M-150 and Pryor. The traffic engineer hired by the applicant projected an increase of 9 over a 60-minute period at the busiest time. That would maintain a satisfactory level of service. He did think a pedestrian crosswalk was a very good suggestion, adding that M-150 was under the jurisdiction of MoDOT, not the City. He was willing to report this suggestion to MoDOT.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 6:17 p.m. and asked for discussion among the Commission members.

Mr. Lovell stated that in view of the changes in tonight's application, it looked like a very good project. It would accommodate upwardly mobile younger buyers who did not necessarily want to buy a large house; and Lee's Summit needed more product that would encourage them to remain in the community. He also liked developments that reflected thinking outside the box, and definitely supported this application.

Ms. Arth agreed with Mr. Lovell's commendation on the improvements, and said she had enjoyed the video. She also appreciated the applicant being aware of and responding to the parking issues, as well as the amenities and variety of housing options.

Mr. Trafton asked if there were covenants and restrictions covering the requirements for buying the townhomes, duplexes and fourplexes rather than renting or leasing. Chairperson Norbury stated that once these units were for sale, there was no guarantee that someone could not buy a unit and then rent it, subject to the City's rules regarding short-term renting.

Chairperson Norbury commended the applicant for making every effort to get a development done on this piece of land and responding to what the residents and the City Council had to say. However, he considered the prior project to be a better one, and the varying sizes of the homes and being able to have a single-family home in the price range now cited for townhomes was a far better idea for the community. The architecture now was rather standard-looking and unimpressive. The City Council had essentially cut off any capacity for the applicant to have any architectural variation or interest; and the city would be poorer for that. This was a precursor to the uniformity that Lee's Summit would end up with. He did think the applicant had done an admirable job of sticking to the original goal of offering housing product that someone of medium income could afford for new construction. He planned to recommend approval, though he would not if it was a rental project as that would not meet the goal he'd referenced. He hoped that there would be more vision from City officials in the future.

Hearing no further discussion, Chairperson Norbury called for a motion.

Ms. Dial made a motion to recommend approval of Application PL2019-307, Rezoning from AG and R-1 to RP-3 and Preliminary Development Plan: Osage, approximately 32 acres located at

the southwest corner of SW M-150 Hwy and SW Pryor Rd; Clayton Properties Group, Inc., applicant; subject to staff's letter of November 7, 2019, specifically Conditions of Approval 1 through 17. Ms. Arth seconded.

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

Commissioner Loveless left the meeting at 6:14 P.M., before vote.
A motion was made by Board Member Dial, seconded by Board Member Arth, that this application be recommended for approval to the City Council - Regular Session, due back on 12/3/2019. The motion carried unanimously.

2019-3137 Public Hearing: Application #PL2019-359- Unified Development Ordinance (UDO) Amendment - Changes to Article 1 - General Provisions, Article 2 - Applications and Procedures and Article 8 - Site Design to create an administrative reasonable accommodation process and reference ADA design standards in the International Building Code; City of Lee's Summit, applicant.

Chairperson Norbury opened the hearing at 6:25 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Johnson entered Exhibit (A), list of exhibits 1-6 into the record. He stated that this amendment had two goals. One was create a reasonable accommodation process. It addressed situations such as someone needing something added to their home to accommodate a disability, such as a ramp, and that item had to be put in a setback. The City code currently required a variance that would be granted by the Board of Zoning Adjustments. The change would create a no-cost process where a staff board could approve it administratively. This board would consist of a member each of Development Services, the Fire Department and Public Works. A development review committee now met every week and could do that review so the process would be fairly quick.

The second part of the amendment would adopt standards from the building code for ADA standards for parking lot design. The City adopted new codes every 6 years and the International Building Code had been adopted by not only Lee's Summit but also most other jurisdictions in the metro area. All were now under the 2018 code.

The third revision was to require applicants to show accessible routes in final development plans, making it easier to evaluate parking areas for accommodation.

Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. As there were none, he opened the hearing Commissioners' questions.

Chairperson Norbury asked if there was nothing that would prevent the City from either augmenting or varying from the IBC if they so decided on a particular issue. Mr. Johnson responded that the IBC was the guide for designing parking lot facilities. There could be code modification requests but it had not been the City's policy to do that when it involved the ADA. Chairperson Norbury said he was referring to a situation where the City decided that the IBC was outdated after a new standard was adopted.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 6:30 p.m. and asked for discussion among the Commission members, or for a motion.

Ms. Dial made a motion to recommend approval of Application PL2019-359, Unified Development Ordinance (UDO) Amendment: Changes to Article 1, General Provisions; Article

2, Applications and Procedures and Article 8, Site Design to create an administrative reasonable accommodation process and reference ADA design standards in the International Building Code; City of Lee's Summit, applicant. Mr. Sims 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 Dial, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 12/3/2019. The motion carried unanimously.

Roundtable

Regarding the earlier question about water management as proposed for the Main Orchard project, Mr. Monter stated that staff had taken some time reviewing this with the applicant. It was not much different from rainwater draining off a parking lot into a rain garden area. There was an example on Douglas at the Nationwide business. The apartments next to the Sonic were another example. This was something that staff wanted to encourage, especially for infill projects. It could be an improvement over detention basins that might or might not be maintained.

Ms. Dial said she had been contacted by some members of the public who had a problem with a developer who gave testimony under oath that they were going to use or not use a particular product on their building. In reality it turned out that the product was one the developer had said they would not use. The Homes Association and the Alliance had said this was not enforceable by the City because specific wording had not been included in the development plan approved by the City Council. She wanted to make the Commission aware that this had happened, and hopefully they could find a way to ensure it would not happen again. Mr. Johnson replied that this concerned an email exchange between the Alliance and himself. During public testimony at the Kessler Ridge application, the president of Inspired Homes promised not to use a certain product and made a few other commitments. This was not added to the ordinance as a condition of approval, and the elevations they had provided did not call out any materials. There was nothing holding the project to a specific set of materials. It had to be locked into an ordinance and public testimony itself was not binding. This had been reflected in the Main Orchard application, where specific criteria about items such as front porches. Chairperson Norbury remarked that if a developer wanted to make a specific promise it could be made a condition of recommendation.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 6:33 P.M.

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