

accomplish that goal. He commended the Planning Department for developing an idea as at least a starting point.

Mr. McKay said that staff could bring this back with more details. Chairperson Gray requested that staff get some input from the business community on what their needs were. He emphasized that Lee's Summit had some good businesses that had been in Lee's Summit a long time and the City would certainly want to continue being supportive of them. However, the City might want to look at ways to bring in other businesses. He also wanted some discussion as to what they were looking at in terms of design. Mr. McKay said that staff would have some dialogue with Downtown Main Street, and that they would have more input when they brought this back.



5. **Discussion:** UDO Amendment #40: Article 10, Special Use Permits – Establishing Conditions and Limiting Locations For Accessory Sales of Pre-Owned Vehicles

Mr. McKay referred the Committee members to the history provided in their packets. This had been discussed at length. The Planning Commission had made a recommendation to the City Council, and the Council was not satisfied with the recommendation. They had asked the CDC to take a look at it. The basic issue was accessory auto sales in retail businesses. However, what kind of business could have accessory auto sales was not yet clear. Lee's Summit had four businesses with such sales: the Sinclair station, which would eventually be replaced by the new CVS; the Auto Clinic, the Goodyear tire store and Herrington. At present, Herrington had their repair shop and a full used car lot. The other three were limited to 4 or 5 vehicles. The questions to be answered are whether these businesses should be limited further and where these kinds of sales should be allowed. Tonight staff was bringing in not only the draft amendment but a map as well.

Under the current ordinance, a Special Use Permit was required for auto sales. The new draft language created a separate classification of "Accessory or Secondary Motor Vehicle Sales." That separated a primary business from the accessory, or secondary business. Two examples would be a car repair shop or auto parts store with a few vehicles for sale. The two businesses were related, which was the direction the amendment was taking. A business like a fast-food restaurant could not ask to sell cars in extra parking spaces. Staff had identified several of these types of auto-related businesses. They would still need an SUP.

Mr. McKay reviewed some of the requirements for such an SUP. Five vehicles would be the maximum allowed. The applicant would have to provide appropriate landscaping, an element missing in some of the existing businesses. They could not just put five cars in the parking lot. Sizes for signs would be limited, with only one sign per vehicle. These would be the kind used inside vehicles being sold by individuals.

Staff had looked at the areas to the north of M-291/I-470 as entry gateways. For purposes of discussion, they had looked at a quarter-mile radius, though that radius was flexible. Within this radius this kind of accessory use would not be allowed, even with a closely associated primary use. Staff had also identified the primary intersections such as Lakewood Way and Bowlin Road, and the prohibited radius for those would be one-eighth of a mile. The lines on the map that seemed to wrap around M-291 indicated boundaries of areas where these uses would be

allowed. The boundaries would keep the accessory use close to the highway and along the business corridor, well away from residential areas.

The access point at US-50 and M-350 should also be considered a gateway. Councilmember Mosby asked if the Unity property near that location would extend over to Bannister Road and 350 should there be an annexation of that property, and Mr. McKay answered that in that event the gateway would move to that area. To the south, gateways also existed at M-150. Mr. McKay emphasized that a "gateway" would be any point where people entered the Lee's Summit area for the first time. The general rule for car sales as accessory uses would be that they had to be along the major corridors but a specified distance from any gateway.

Councilmember Mosby noted that a major concern had been stifling the ability for a business to make a necessary expansion, and he liked the way that staff had developed this proposal. He wanted to know how many businesses with these kinds of sales currently existed outside the proposed boundaries. Under the proposed amendment these would not be allowed to continue the sales when their permits expired. Mr. McKay referred to the small circles indicated on the handout map. Many of these were already within the proposed area but some were outside of it. He reminded the Committee that anyone whose primary business was new or used car sales would not be affected by the amendment, as it pertained only to auto-related businesses that had vehicle sales as a secondary use. A number of the map's circles were clustered around US-50, and that was where owners of this type of business wanted to locate anyway. Some were a little closer, and these would not be pushed out, but any newer uses would not be allowed too close to gateways or major intersections.

Commissioner Norbury commended Mr. McKay for taking the various viewpoints about this issue, and commented that this seemed very complex. He understood that ordinances were not being designed for the sole purpose of easy reading but wondered if a business owner interested in this accessory use would find it confusing.

Councilmember Cockrell remarked that it was essential to protect the city's entry gateways and that should be the primary goal. He did not see that as being very complicated, but Councilmember Mosby had brought up the question of where to start. He believed that thoroughfares like View High, Shenandoah and Blackwell, plus the highways and the Unity gateway, should that come to pass, were the starting point. There could be debates about the radius and some people were bound to see it as restricting their business, but it is essential to get those gateways taken care of. The Committee should focus on that first, and then deal with secondary issues such as signage and landscaping.

Commissioner Norbury commended staff and Mr. McKay for condensing this material. He agreed that the gateways were important, and the original intent was to set standards for businesses that would apply for Special Use Permits. No one wanted to prohibit commerce in Lee's Summit, and he did not see this as being complicated if they focused on a particular way of doing business. The approach would be that if someone with an automotive-related business wanted to sell used vehicles, the City was providing a process for them to do that with specific conditions set out. He was confident that staff would be able to make this clear to people who came in to apply for this kind of SUP. If they had a clear understanding of a process, it was up to them to take the steps outlined in the UDO.

Mr. McKay acknowledged that when someone looked up this information on the City's website they might be uncertain about details; however, when they came into the Planning office and looked at the scaled zoning books, they would be able to see clearly what parcels were included and what were not, including street addresses. That part would not be difficult to explain.

Commissioner Norbury noted that according to the chart showing the list for Special Use Permits for this type of sales, the proposed change would really have an impact only on three and possibly four existing businesses. He knew the City had recently granted an SUP to Herrington Automotive and they had shifted their model somewhat. He asked if any of these would be affected by the change. Mr. McKay answered that there would be no impact until they came in for an SUP renewal, and then they would have to comply with secondary requirements like landscaping.

Chairperson Gray noted that some of these were several years out, and Mr. McKay said the renewals would start in about five years.

Chairperson Gray asked what staff needed from the Committee, and Mr. McKay answered that if this was what they wanted to see, staff would need a recommendation to proceed to a UDO amendment. Chairperson Gray wanted to see this go forward, and commended staff on their work as well as Councilmember Mosby for bringing it up. It was consistent with past dialogues about branding and gateways. Mr. Arbo clarified that the next step would be a Planning Commission review and then discussion by the full City Council.

Councilmember Cockrell stated that he would defer to Chairperson Gray and Councilmember Mosby. He had made his position clear as to what priorities to take care of first. The Committee members agreed by consensus for the proposed amendment to go forward.

<b>6. Presentation: Market Square Concepts</b>
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Mr. McKay related that this item addressed the property adjacent to the old City Hall including the historic post office. The property had been sold to a developer, as well as the property to the south of the former City Hall and the property to the west where one building had been removed. However, due to the downturn in the economy, nothing had been developed as yet. Staff had hired a consultant who was a partner with the group that had done the Downtown Master Plan so was already familiar with the area. She was to bring back some schematics for using the property for public space. The Farmers Market had been looking for a permanent home and some civic clubs had shown an interest in having a Downtown base.

The firm, Entelechy, had brought back some alternatives for use of the post office area. That could be a mix of the Farmers Market, art fairs and musical performances. Some of these could tie in with special events Downtown. Councilmember Cockrell had observed earlier that not much was happening west of the railroad tracks, and this was an opportunity to develop an attraction on that side of Downtown. It was a logical setting to attract business from people getting off Amtrak trains across SW Main Street.

On the displayed map Mr. McKay pointed out the site of the old City Hall and its parking lot, both of which had been removed. One characteristic of the property they would have to consider would be the ten-foot drop in elevation from Market east to SW Main Street. A sewer line also