

Minutes

The City Council of the City of Leawood, Kansas, met for a Special Call Meeting at City Hall, 4800 Town Center Drive, at 6:00 P.M., on Monday, September 20, 2010. Mayor Peggy Dunn presided.

Councilmembers present: Julie Cain, Andrew Osman, James Azeltine, Debra Filla, and Jim Rawlings

Councilmembers absent: Gary Bussing and Lou Rasmussen

Staff present: Scott Lambers, City Administrator
Patty Bennett, City Attorney
Richard Coleman, Community Development Director
Mark Klein, Assistant Planning Director
Deb Harper, City Clerk
Pam Gregory, Assistant City Clerk

Others Present: None.

Review of commercial sign approval process

Mayor Dunn called the meeting to order at 6:10 P.M. Introductions were made by those present.

Opening Remarks – City Administrator Scott Lambers

This meeting is in response to an inquiry from Councilmember Osman regarding the opportunity, under limited circumstances, for signage to be approved administratively. The memo from the Planning staff outlines the options to consider. If the Council wants to proceed with the administrative approval option, it would be authorized for shopping centers that have design guidelines for tenants that are only requesting approval of a sign modification. This option would have a 10-day approval process. Currently, if a sign plan for tenant finish comes forward approved from the Planning Commission on their Consent Agenda, it would also be placed on the next Governing Body's Consent Agenda since there are no minutes pending consideration. If the Planning Commission removes it from their Consent Agenda, staff would wait and present it at a future Governing Body meeting. Mr. Lambers was concerned that a sign modification could turn into a minor modification to the façade, which would not be approved administratively. If the Council proceeds with the administration approval option, the Planning staff can provide an electronic weekly memo to the Governing Body to ensure they are informed of new tenants and how often this process is being utilized.

Mayor Dunn confirmed with Mr. Lambers that if the majority of the Council wanted to proceed, this would not be required to go to the Planning Commission for recommendation.

Councilmember Osman concurred with Mr. Lambers that if the applicant was requesting any modification to the façade, it would need to go before the Planning Commission and the Governing Body for approval. Mr. Osman's intent was to give tenants the option for administrative approval for only a sign modification and only if they fall between the strict guidelines of the City and the landlord.

Presentation – Assistant Planning Director Mark Klein

The Planning Staff took pictures of several shopping center developments showing examples of different signage. Several of these were approved prior to the current ordinance being in place. Currently, the Leawood Development Ordinance [LDO] requires that the maximum size of the signage be 5% of the tenant façade. Some shopping centers have a sign-band, which has an aluminum face the signage is required to fit into.

Councilmember Rawlings asked if banks could display their corporate logos on the façade of grocery stores. Mr. Klein stated this would need to go before the Planning Commission and Governing Body for approval. One was recently approved to be placed on the Price Chopper in the Market Square Development.

Councilmember Cain confirmed that if a tenant's signage did not comply with the LDO and a new tenant came in, they would need to ensure their signage came into compliance. There is no grandfather clause for existing signage.

Although developments have their own sign criteria, some have submitted applications for changes if they feel a tenant is proposing a reasonable request. These applications are required to go before the Planning Commission and Governing Body for approval. The applicant is required to provide a letter from the development stating approval of their signage. Community Development Director Richard Coleman confirmed they keep documentation from all of the City's developers stating their sign criteria.

The LDO requires that window signage take up no more than 5% of the window area and generally, this is temporary signage.

Mayor Dunn noted that the current sign approval process has kept them well informed of new tenants.

Mr. Coleman confirmed that any developments that don't have sign criteria are still required to come before the Planning Commission and Governing Body for approval.

The options to streamline the signage approval process are outlined below:

1. Process through both the Planning commission and Governing Body –
1st Governing Body meeting (currently used if placed on the Planning Commission Consent Agenda) –
Total time of approval = 40 Days

2. Process through both the Planning Commission and Governing Body (currently used if formally discussed by the Planning Commission) – Total time of approval = 54 Days
3. Process through the Planning Commission Only (not currently used) – Total time of approval = 35 Days
4. Administrative approval only (not currently used) – Total time of approval = 10 Days

If an applicant misses the deadline to submit their application to the Planning Commission, the timeline could be extended another month.

Mayor Dunn noted although some signs may meet all of the signage criteria, there could still be some concerns; with only administrative approval, the Planning Commission and City Council would not have any knowledge prior to the signage being placed on the building. The “Tide” Dry Cleaners sign was approved; therefore, their design guidelines were amended. Staff has concern of applicants comparing what had been previously approved.

Councilmember Azeltine confirmed with Mr. Lambers that administrative approval was already permitted in the LDO. Mayor Dunn noted when this was presented in the past; they decided not to use administrative approval. Mr. Lambers noted when he was first employed by the City; the process was for the Governing Body to review the Preliminary Plans and the Final Plans only went before the Planning Commission. Since the Governing Body didn’t agree to some of the changes made by the Planning Commission, the process was changed to include all Final Plans coming before them.

Councilmember Azeltine confirmed with Mayor Dunn that if they wanted to proceed, they could refer this to the Planning Commission for discussion.

Mr. Lambers preferred to be lenient with the administrative approval process in the beginning; however, in the future, if the Governing Body feels approvals have gone through that should have been reviewed, they can change the process. Mr. Coleman confirmed that if he thought there would be an issue, he would have the applicant go through the entire approval process.

Councilmember Azeltine thought there could be too much inconsistency and felt they should not apply the administrative approval only option.

Mr. Lambers thought since they were missing two Councilmembers, they should leave this discussion as is and schedule another Work Session.

Mr. Coleman recommended they define the administrative signage approval to allow only white acrylic letters with standard font and no logo.

Councilmembers Filla, Rawlings, Cain, and Osman concurred with Mr. Coleman.

Mayor Dunn suggested that this be placed on a Council agenda to include discussion from the absent Councilmembers. They could then refer it to the Planning Commission for their input, if desired.

There being no further business, the meeting was adjourned at 7:05 P.M.

Pam Gregory, Recording Deputy City Clerk