

City of Leawood Planning Commission Minutes

June 25, 2002
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive

CALL TO ORDER/ROLL CALL: Henderson, Rohlf, Carper, Conrad (absent), Brain, Duffendack, Breneman, Munson (tardy), Pilcher

APPROVAL OF THE AGENDA: Case 52-02 Leawood Corporate Manor Monument Sign, request for approval of a final site plan, will be continued to the July 23rd Planning Commission meeting by request of the applicant. **Motion to approve the revised agenda made by Henderson and seconded by Carper. Motion approved unanimously.**

APPROVAL OF THE MINUTES: Approval of the minutes from the May 28, 2002 meeting. **Motion to approve the minutes from the May 28, 2002 meeting made by Henderson and seconded by Carper. Motion approved unanimously.**

PLANNING COMMISSIONER RECOGNITION: Recognition of Pat Colloton for her years of service on the Planning Commission. Brain presented Pat Colloton with a plaque to commemorate her three years with the Planning Commission. Brain stated Colloton had a profound effect on many people and development projects. He also stated she was the most environmentally friendly commissioner that he can remember and wished her well in her future endeavors. Colloton gave an acceptance speech.

CONTINUED TO THE JULY 23, 2002 MEETING:

CASE 70-01 CHRIST COMMUNITY CHURCH Request for approval of a preliminary site plan, preliminary plat and special use permit. Located approximately north of 143rd Street and west of Kenneth Road. **Public Hearing**

CASE 71-01 CORNERSTONE VILLAGE Request for approval of rezoning from AG to CP-2 (Planned General Retail) preliminary plat and preliminary plan. Located at the southeast corner of 135th Street and Nall Ave. **Public Hearing**

CASE 34-02 LDO AMENDMENT – SECTION 3-15, FLOOD OVERLAY DISTRICT Revision to the Leawood Development Ordinance. Section 3-15, flood overlay district. **Public Hearing**

CASE 54-02 IRONHORSE CENTER Request for approval of a preliminary plat and site plan. Located at 151st Street and Nall Avenue. **Public Hearing**

CONSENT AGENDA:

CASE 57-02 VILLAGE OF CAMDEN WOODS – 34TH PLAT Request for final plat. Located south of 143rd Street and west of Kenneth Road.

NEW BUSINESS:

CASE 48-02 PLANNING COMMISSION BY-LAWS Approval of revisions to the Planning Commission by-laws.

Staff presentation: Presentation by Diane Binckley. The proposed changes to the by-laws are: 1) The elimination of the City's ability to have a Planning Commissioner from outside the city limits, and 2) The ability to

cancel a meeting in the case of inclement weather via a phone conference. There have also been some unneeded and redundant items removed. Staff is requesting approval of the by-laws as recommended.

A motion to approve the changes made to the by-laws was made by Carper and seconded by Duffendack.

Henderson was concerned about how the by-laws are written. He believes it is not written with the Roberts Rules of Order in mind. He also had problems with the text and clarity.

Rohlf asked about the motions in the first paragraph, she did not see a distinction between sentence two and sentence three of that paragraph. Wetzler stated the two sentences are needed in order to distinguish the different subject matter. Brain stated they are both majority votes, just two different sentences saying the same thing. Wetzler believes it is taken from the state statutes.

In response to Henderson's concerns, Wetzler stated the form used is the old form that the Planning Commission has used for many years. She agreed that it could use a complete overhaul, but the effort right now is to ensure the by-laws are meeting what the City would like to do at this time. She does not believe it is written completely against Roberts Rules of Order and they follow the manner of the state statute.

Brain suggested Henderson work with Staff in order to make the by-laws come into compliance with Roberts Rules of Order. Brain then asked Henderson if there was anything in the text that he felt was substantive from the standpoint of contrary to how they are operating as a body.

Henderson asked for clarity on paragraph four, first page, on attendance. He questioned if one year means a calendar year or a Commissioner term year. Binckley stated it is one year from the appointment date, in other words, May 1st. Henderson then asked for clarity at the top of page three in the continued paragraph, third line. It states, "A schedule of regular meetings will be made available in January of each year". He asked why it wouldn't be May, if that is when the terms begin and end. Binckley stated the schedule follows a calendar year. Henderson then suggested page two, under quorum, "a majority of the membership, five, shall constitute a quorum..." should be written as "a majority that is five". He also stated there are numerous references in the by-laws where the word "membership" is used, when it should be "commission". Page three, last paragraph, the by-laws state "the meetings of the Planning Commission are generally conducted under Roberts Rules of Order, Revised". Henderson stated that is a typo, he suggested the wording be changed to "the most recent edition of Robert Rules of Order".

Brain suggested approving it with the three changes made by Henderson, then Henderson would meet with Staff at another time.

Pilcher asked about page three, he asked if it meant the Chair or Vice-Chair could cancel the meeting without a vote. Binckley stated the by-laws are being changed so that the Chair or Vice-Chair can cancel via telephone, due to inclement weather. Pilcher asked what a quorum by telephone has to do with canceling the meeting. Henderson responded it is in reference to holding the meeting via phone conference, not canceling the meeting.

Motion approved unanimously.

CASE 55-02 DERMATOLOGY AND SKIN CANCER CENTER Request for a final site plan to construct a medical office building. Located south of 115th Street and east of Roe Avenue.

Staff Presentation: Presentation by Jeff Joseph. The applicant is Jeff Davis, with ACI Boland. The applicant is requesting approval for a final site plan. This property is located south of 115th Street and east of Roe Avenue. This project is within the Town Center Business Park, first plat. The applicant wishes to have 91 parking spaces, instead of the 89 spaces shown on the site plan. The applicant will be submitting a revised plan showing the 91 spaces. The two additional spaces are located on the northeast corner of the development. The parking garage holds 15 of these parking spaces, in addition to the trash enclosure. Staff is concerned with the size of the signage proposed. When the signage for the Reece & Nichols building to the north was approved, it set a precedent for all projects within Town Center Business Park. The sign proposed for this project is substantially bigger than the sign approved for the Reece & Nichols building. Staff is recommending

the applicant submit a revised signage plan to be approved by the Planning Commission showing a similar size as approved for the Reece & Nichols building. Staff is recommending approval of this case with the attached stipulations.

Henderson stated the Reece & Nichols sign is 3.2 ft. high, but Staff is recommending a maximum of 3.0. He then suggested changing the maximum to 3.5 in order to allow the 3.2 height that is already there to be valid. Brain asked if the Reece & Nichols ampersand symbol is 3.2 ft. high and the letters are 3.0 ft. high. Joseph responded yes, just the ampersand is 3.2 ft. high.

Applicant Presentation: Presentation by Ron Davidow with ACI Boland, representing the owner. Also present was Jeff Davis, the project architect. In regard to the parking, the trash enclosure has moved into the parking garage. In the process of doing that, two parking spaces were removed from the underground parking. The applicant is currently requesting 91 spaces. Approximately 52% of the site is still green space. The applicant understands that they will need to come before the Commission before final sign approval. Because the applicant is looking for letters that have an artistic effect, they would prefer to not be restricted to a height. The applicant is proposing 2.2% on the south side, 3.9% on the east façade, and 4.6% on the west. The signs are different on each side because of the architectural variations. The signs will be backlit, much like the sign at Menorah Medical Park. The applicant presented this exact scheme to Edgewood and they have no objections. The applicant has tried to come up with a signage solution that communicates what the building is about as well as an artistic logo. The drive lane changed to 20 ft. There have been no other major changes since the Commission last saw it.

Carper asked what material would be used for the sign. Boland responded it is made of anodized aluminum. Breneman asked what material would be used for the design. Davidow responded, aluminum. The light would filter out around the edge with a halo effect.

Duffendack asked if the applicant is willing to work with Staff to create a sign to meet the City's specifications. Davidow responded, yes, he would be coming before the Commission later for final sign approval. Duffendack asked if the underground parking is sprinkled. Davidow stated the entire building is sprinkled.

Brain suggested the motion maker should add a 15th stipulation stating the maximum of 91 parking spaces.

Motion to approve, with the addition of a stipulation stating the maximum number of 91 parking spaces, was made by Henderson and seconded by Pilcher. Motion approved unanimously.

Munson arrived.

CASE 56-02 THE VILLAS OF CHAPEL GREEN Request for a final site plan and final plat. Located north of 143rd Street and east of Nall Avenue.

Duffendack recused himself from this case.

Staff Presentation: Presentation by Jeff Joseph. This case was formerly known as the Reserve at St. Michael. The applicant is Brick Owens with HNTB. The applicant is requesting approval of a final plat and final site plan. This property is located north of 143rd Street and east of Nall Avenue. The proposed development consists of 23 lots on 9.36 acres. A large median is proposed within 141st Terrace. A variety of landscaping and seating areas are shown within the median. The stipulation about the requirement of sidewalks on both sides of the street has been revised in the Public Works comments letter. Staff is recommending approval of this case with the attached stipulations.

Applicant Presentation: Presentation by Mark Simpson. The applicant is in agreement with all 19 stipulations made by Staff. Leon Roberts with the Archdiocese will address the concerns of the Commission in regard to tract B.

Leon Roberts stated the Archdiocese of Kansas City, KS, a non-profit organization, would retain ownership of tract B with the rights and responsibilities of that ownership. The first submission suggested the Archdiocese was going to sell tract B, but since then, they have decided to retain it.

Simpson stated the plat would be signed by the Archdiocese.

Munson asked if it is tract D or B. Simpson responded, tract B.

A motion to approve was made by Henderson and seconded by Munson. Motion approved unanimously.

ELECTION OF OFFICERS: Brain announced it has been stated by Council that the Commission is not allowed to have co-vice chairs. As a result of that, Brain has asked to have another election. In preparation of that election, Brain withdrew his name for consideration as chair. Brain stated he has spoken with Conrad and he is not interested in holding the chair or vice chair role. Carper nominated Duffendack as chair, and Brain as vice chair. Munson nominated Breneman as vice chair. Breneman withdrew from the nomination due to her travel schedule.

A motion to approve by acclamation of the nominations of Duffendack as chair and Brain as vice chair made by Henderson and seconded by Carper. Motion approved unanimously.

ADJOURN

Don Brain, Jr.

Chairman