

City of Leawood Planning Commission Minutes

June 10, 2003
Worksession – 5:30 p.m.
Meeting – 6:00 p.m.
Leawood City Hall
4800 Town Center Drive

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

APPROVAL OF THE AGENDA: A motion to approve the agenda was made by Carper and seconded by Conrad. Motion approved unanimously.

NEW BUSINESS:

CASE 41-03 LDO AMENDMENT SECTION 16-2-8.1, PLANNED RECREATION Request for approval of an amendment to the Leawood Development Ordinance, section 16-2-8.1, Planned Recreation.

Staff presentation: Presentation by Diane Binckley. Staff is requesting to add private clubs back into the planned recreation zoning and requesting those be identified to require a special use permit for that type of application. This was an error on Staff's part; it was missed when revising the ordinance and was inadvertently left out. Staff is requesting this to be added back into the ordinance.

Conrad asked if private club is listed in the definition section of the ordinance. Binckley responded, yes.

Pilcher arrived.

Henderson asked for a clarification of the phrase, "principal permitted". He also had a question what the word "pervious" means. Williams explained the definition of "pervious". Henderson asked if it means that non-pervious surfaces are allowed. Binckley stated non-pervious surfaces, such as pavers, are allowed. It would need to be something a vehicle could drive over. Henderson asked if "Portland cement" is a type of cement or a brand name. Conrad responded it is a type of cement. Binckley stated "principal permitted" identifies that once an area is zoned recreation, there are certain uses that are allowed by right, but the City has identified permitted uses and special use items. Henderson asked why the word "principal" was used. Binckley stated it is a standard term that is used in planning.

Public hearing: With no one present to speak at the public hearing, a motion to close was made by Pilcher and seconded by Carper. Motion to close approved unanimously.

A motion to approve case 41-03 was made by Carper and seconded by Pilcher. Motion approved unanimously.

CASE 45-03 HOULIHAN'S CORPORATE OFFICE Request for approval of a final site plan. Located at 8700 State Line Road.

Applicant presentation: Presentation by Mark Klein. The applicant is requesting approval of a final site plan to install an exterior entrance, wheelchair ramp, deck and mechanical units on the south and west side of the existing office building located at 8700 State Line Road. The Houlihan's corporate office will occupy about half of the building on the first floor. The applicant has indicated they would like an exterior entrance to that part of the building and staff is supportive of this request. The applicant is proposing a test kitchen and will need a number of mechanical units in order to support this. The mechanical units are proposed to be located at the southwest corner of the building within the green area that is currently there. The Commission approved a generator unit for the bone marrow institute to be located roughly at that same area. It was about 6 $\frac{3}{4}$ ft. high and there were to be some evergreen trees planted in front of it to be 8 ft. in height to screen the generator. Houlihan's is going to have a number of mechanical units and are proposing to construct a screen wall that would enclose the majority of the proposed mechanical units and would try to match the color and texture of the building. In addition, the applicant is proposing to add additional landscaping in front of the wall to help break it up as well as screen any additional mechanical units that would be outside of the wall. The mechanical equipment located outside the screen wall will be about 33 inches in height, screened with landscaping and green in color to help blend with the landscaping and grass. The applicant is also proposing a grease interceptor unit. It would be at-grade with manhole-type openings that would lead to it. It would be screened with landscaping. Staff is supportive of this case with the stipulations stated in the staff report.

Applicant presentation: Presentation by Brad Shaw with Houlihan's Restaurant Inc. Shaw described the site plan and the proposed changes. The test kitchen will just be a test kitchen and is not used full-time. There will not be everyday lunches prepared or served there. The screen wall for the mechanical equipment will be 10 ft. tall and made out of a material to closely match the existing building material. A new deck is proposed off the test kitchen to use as a break area.

Henderson commended the applicant for putting the ramp in the front, instead of the back of the building. Henderson asked the width of a current wheelchair. Jim Prevail, with Crawford Architects, stated a typical wheelchair could fit through a typical 3 ft. opening. Henderson is concerned about not having enough room for two-way people traffic on the ramp. Binckley stated current building code would govern the size of the ramp. The building department would review the ramp to ensure it meets current ADA standards.

Munson asked if a trash dumpster/compactor is required for this type of establishment. Klein stated he is not aware of that requirement. Shaw stated there is an existing trash enclosure that would service the entire building. Duffendack asked if the current dumpster would be adequate for the use of the test kitchen. Shaw stated the test kitchen would only be used a couple of hours a day, therefore it would not give out a lot of waste. The current Houlihan's office is 5 stories, with a dumpster about half the size of the 8700 building dumpster, and it is adequate.

Pilcher asked if any of the existing trees would be removed for the ramp. Shaw stated none of the trees would be removed. Binckley stated staff has visited the site and there is adequate room for the proposed changes. Duffendack asked if the exhaust hoods would discharge up. Shaw stated the proposed exhaust units are high-velocity side discharge units. Duffendack asked if the applicant foresees that as being a problem for the tenants above the first floor. Shaw stated that side of the building has no windows above the exhaust hoods.

Carper asked if the filter system is any different than the type used in restaurants. He is concerned with the odor for the surrounding buildings. Klein stated staff's expectation is that it would be the same as any other food-handling fan. Staff has not consulted with the building official, but will if necessary. Shaw stated the system is the same type used in their restaurants. The Houlihan's office has not had any problems with the exhaust or odor where they are currently located. Carper asked if they anticipate running it after office hours. Shaw stated, no.

Henderson asked how the 10 ft. wall would be screened prior to the trees growing to their full height. Klein stated the bone marrow institute is proposing 10 junipers that will be 8 ft. in height at planting for their generator screening.

Shaw described the site plan.

Conrad asked if this is the same building that State Line Imaging is located. Klein responded, yes. Conrad asked if the sign shown in the staff report has been removed. Klein stated the sign has been removed. Staff has included a stipulation that allows a window sign in conformance with the LDO, which allows 5% of the window frontage, however the owners of the building have agreed to remove the monument sign. Conrad asked if the building owner is in support of these modifications. Klein stated the owner has signed the application.

Munson asked if this part of the building would be easily visible. Shaw stated State Line Road is on the east side of the building and Houlihan's would be on the backside of that. Munson believes the proposed changes take away from the appearance of the main building. Pilcher stated he does not feel the wood railings fit with the materials of the building. Klein stated the railings would be made of aluminum; the deck would be made of IPE wood. Shaw described the material board.

A motion to approve case 45-03 was made by Carper and seconded by Williams. Motion approved 6-1 (Munson against).

MEETING ADJOURNED

J. Paul Duffendack, Chair