

**City of Leawood  
Planning Commission Minutes**

**November 29, 2005  
Meeting - 6:00 p.m.  
Leawood City Hall Council Chambers  
4800 Town Center Drive**

**CALL TO ORDER/ROLL CALL:** Henderson, Perkins (absent), Rohlf, Conrad, Duffendack, Munson, Williams, Azeltine, Reynolds (absent)

**APPROVAL OF THE AGENDA:** Williams asked to move the consent agenda item into the main agenda. He then stated there was another sign approved via consent agenda and was then remanded back to the Commission from Council. There are some questions and issues he would like the opportunity to get clarified. Williams then made a motion to remove case 75-05 from the consent agenda and place it under new business. Motion seconded by Azeltine.

A motion to approve the revised agenda was made by Rohlf and seconded by Azeltine. Motion approved unanimously.

**APPROVAL OF THE MINUTES:** Approval of the minutes from the September 27, 2005 meeting. A motion to approve the minutes from the September 27, 2005 meeting was made by Azeltine and seconded by Williams. Motion approved unanimously.

**CONTINUED TO THE JANUARY 10, 2006 MEETING:**

**CASE 64-05 COLTON CREEK ESTATES** Request for approval of a rezoning from AG (Agriculture) to RP-1 (Planned Single Family Residential District) and RP-2 (Planned Cluster Detached Residential District), preliminary plat and preliminary plan. Located at 5000 and 5100 West 143rd Street. **Public hearing**

**CASE 73-05 IRONHORSE CENTRE** Request for approval of a preliminary site plan. Located at the southeast corner of 151st Street and Nall Avenue. **Public hearing**

Duffendack stated case 69-05, Parkway Plaza, would be heard later in the meeting since the applicant was not present.

**NEW BUSINESS:**

**CASE 75-05 CHURCH OF THE RESURRECTION - MONUMENT SIGN** Request for approval of a final plan to approve a monument sign. Located at 137th Street and Roe Avenue.

*Commissioner Rohlf recused herself from this case.*

**Staff presentation:** Presentation by Mark Klein. The applicant is proposing two monument signs to be located along Nall Avenue. One is a larger monument sign that will be located at the corner of 137th Street and Nall Avenue. The other will be located at the intersection of the private drive entering the church property off of Nall Avenue. The larger monument sign will consist of a series of walls that will run along both 137th Street and Nall Avenue. The walls converge and form a circular pattern where they meet in the middle. There is also a cross with a flame, which is the icon for the United Methodist Church, extending out of the center. They have black pin-

mounted letters on the face of the sign, which will be externally illuminated and read, "United Methodist Church of the Resurrection", in addition to the address. There is also a smaller sign that is similar to that but will have more straight walls located at the entrance that comes off of Nall Avenue. Staff is recommending approval of this case with the stipulations stated in the staff report.

Williams asked if the cross would be illuminated as well. Klein stated it is his understanding that the cross would be illuminated from the exterior, shining up from the ground. The applicant could better answer if it is internally illuminated. Williams asked if there is a limit to the size of the structure that the sign is to be placed upon. Klein stated the LDO limits monument signs within this SD-CR, SD-NCR and MXD districts to 50 sq. ft. Typically, the City has limited those to tenant monument signs; however, a lot of the development monument signs have been larger than that. That also includes residential monument signs. For example, Mission Reserve has a fairly substantial monument sign. There are quite a few that exceed that 50 sq. ft. limit. Williams asked how the sign would be measured. He then asked if development would get approved for a monument sign that is close to 20 ft. tall, which this one is. Klein stated Mission Reserve's sign is fairly close to that, however most are not that tall. On this one, the walls are about 11 ft. and the cross reaches 19 ft. in the center.

**Applicant presentation:** Presentation by Dick Cooper on behalf of the Church of the Resurrection. The landscape architect for this case is present to answer any questions. The applicant has worked very closely with staff on a variety of signs. The size and scale of the proposed sign fits in with that particular location of Nall Avenue and how it fits in with the architecture of the building. The cross and flame are the United Methodist logo. That is very important to them.

Williams asked if Epic Landscaping designed the sign. Cooper stated, yes, the church hired Epic to help design the sign.

Williams asked for a description of some of the other alternatives. Cooper stated they were all sized in scale to the site and to the 75 acres that the church occupies. The other designs included some rectilinear and some concrete cast panels. They focused on the curvilinear approach. Klein stated one design was a series of straight walls. The scale was similar to this. It is staff's opinion it would fit the mass of the project, given the size of the building that is going to be there, along with Nall Avenue and 137<sup>th</sup> Street.

Williams stated he likes the design; however, he is concerned with the size and height of the element. He is concerned that it might be setting a precedent. He then asked the illumination technique for the cross and how much spillover there would be to the neighborhood. In regard to the interior signs that were remanded back to the Commission from Council, Council had concerns with the size of the signs and the logo and the Commission substantially reduced the size of those signs to meet those concerns. The applicant was very willing to work with us on that.

Duffendack stated one of staff's recommendations does limit the foot candles at the property line.

Azeltine asked if any deviations were granted on the other signs referenced by Williams. Klein stated it was directional signage that was located within the property. He does not believe any deviations were granted. Azeltine asked if it was within the LDO. Klein stated, yes, signage is approved per the plan that is before the Commission and the Governing Body. Azeltine stated it seems to him that no deviations were requested or granted, so this is within the LDO. If the Commission wants to make a statement to the height of the sign, then it should be part of a work session. It is within the guidelines. It is a beautiful design. He would be hesitant to ask them to downsize it.

Williams asked staff if monument signs are typically 50 sq. ft. Klein stated the ordinance restricts monument signs within those districts to 50 sq. ft. Typically, what the City has done is allowed development monument signs to go bigger and typically kept individual building monument signs down to the 50 sq. ft. Azeltine asked the square footage of the proposed sign. Klein stated he does not have an exact calculation, but it is considerably more than the 50 ft. There are a number of buildings that have been allowed to have signs on retaining walls. In those cases, staff did not consider the retaining wall as part of the square footage of the sign. In this case, the wall is not retaining anything, so it would be considered as part of the sign. Azeltine asked why the staff report says that no deviations are required, but yet it exceeds the 50 sq. ft. allowed. Klein stated this development is zoned Agriculture and there are no regulations for signage in Agriculture districts. In the past, we have allowed larger than 50 sq. ft. for development monument signs. Azeltine asked how common it is to have a monument sign in an Agriculture district. Klein stated he would assume it would be more common with a special use permit on Agriculture zoning, such as an assisted living facility or a church, as the case with this project. Azeltine encouraged staff to exam whether or not the LDO needs to be changed to have restrictions on signs in an Agriculture district. Otherwise, he thinks it would be unfair for the Commission to deny this request, since there are no restrictions.

Henderson stated maybe Williams' comments have pertinence when you look at the size of the name. If "Resurrection" were on a third line, it would be a different configuration for a monument sign and much more in keeping with other monument signs. Duffendack stated that configuration is shown on page three of the applicant's submittal. Henderson stated he was trying to say that the size of the sign is somewhat relative to the words on it.

Conrad stated he thinks this approach is almost site sculpture and then becomes art. There have been instances where developers have built retaining walls and had signage on it. There has been discussion on how that is calculated and whether or not it is an appropriate sign. We have also discussed corner features along the 135<sup>th</sup> Street corridor. He thinks this becomes a corner feature, as much as anything. He asked if there is an element of art that should be reviewed by the Art Commission. It is a significant statement. He wondered about having guidelines by which to judge this and then asked what would happen if a commercial development would want something similar to this. Klein stated an art impact fee is normally assessed for projects based on square footage of buildings. In lieu of paying that art impact fee they would need to go before the Arts Board and go through a process where they would get a piece of art approved and put in place. There have been a few developers who put some art in the project that did not go through the arts council and in those situations, it is something they showed the City, but no criteria devised as to what is considered art or not.

Duffendack stated this is not a proposed sculpture, it is a proposed sign. Azeltine stated he feels the fact that Conrad would bring that up speaks to the beauty of the sign. Williams asked if there were any other LDO restrictions placed on the property in terms of setbacks and parking. Klein stated there are setbacks that go along with Agriculture zoning and those were approved at the time this plan was approved. He believes they have met those setbacks. The City has not typically held monument signs to a setback requirement. As far as the signage itself, those are typically reviewed by the Commission at the time of final site plan. Staff is in approval of this due to the scale of the church and the fact that they are located on primary streets. This is when the Commission would review this sign, just like at final.

**A motion to approve was made by Azeltine and seconded by Henderson.**

Williams stated he is hearing from staff that on properties such as this we are subjective as to what is considered appropriate and what are considered reasonable requirements. We have not stated specifically for AG districts in the LDO what the signage requirements would be, but if we are going to allow for special uses that are

commercial institutional uses, then all of the requirements that play into those buildings or those types of uses start to become factors. He is uncomfortable that we can say that signage becomes an arbitrary issue and the size can be any size or height the user wants it to be. He likes the design of it, but he thinks it is too big and too high. Conrad asked if all churches are in AG zoning. Klein stated not all churches are in AG zoning. Some could be in residential zoning. They are allowed in any zoning with a special use permit. Typically, with monument signs that are in residential zoning, they are evaluated on how they look with the size and scale. If the Commission feels it should be scaled down or changed, the Commission has that ability. 19 ft. is larger than what is normally seen, however there are a few fairly massive residential monument signs. Duffendack stated the motion on the board is to approve as presented.

Azeltine stated he understands the time to change it would be during the preliminary. He then asked when the preliminary for this case was approved. Klein stated it was at least two years ago, but the signage was not shown at that time. The location of the signs was shown, but the designs were not shown. This application is for the monument signs. Typically, signage is looked at during final site plan, so it is not uncommon for a sign to come before the Commission as a final site plan. Azeltine stated he sees a couple of different flaws in our procedure that staff needs to look at. The way he understands it, once a case comes to the Commission for final, they pretty much have their hands tied as to any tinkering. Klein stated signage, lighting, building materials and elevations are reviewed when a case is at final review. Typically, traffic, drainage, site layout and site circulation are looked at during preliminary. Azeltine asked if this design has been seen before. Klein stated this design has not been seen before this application. Azeltine stated he does not understand why this application was not seen as a preliminary. Klein stated lighting and signage are not focused on during the preliminary. The site went through a preliminary and final site plan application for the building itself. It went through the proper procedures and approvals to get that done and now they are requesting approval of the monument signs. They may have shown a monument sign at this location on their overall plan. Azeltine stated when there are this many questions about a sign in final application, he thinks staff needs to look at the procedure as it relates to preliminary for something like this and also a sign in an AG district.

**Motion approved 3-2. Azeltine, Henderson and Rolhf in favor. Williams and Conrad opposed.**

Conrad asked if it would be appropriate to look at the definition of signs and retaining wall signs and landscape sculptures. Williams suggested fine tuning the LDO in terms of signs so that it applies to all signage and not give AG districts a free hand to do whatever they want to do. Azeltine stated he would like to look at the definition of a sign. Marcano stated those items could be added to a work session.

*Commissioner Rohlf returned to the meeting.*

#### **NEW BUSINESS:**

**CASE 57-05 PLAZA POINTE - VINCE OFFICE BUILDING** Request for approval of a final site plan. Located south of 135<sup>th</sup> Street and west of Roe Avenue within the Plaza Pointe development.

**Staff presentation:** Presentation by Jeff Joseph. The applicant is Bob Sanders with RSA Architecture. The applicant is requesting approval of a final site plan for a 16,000 sq. ft. office building. This property is located at the southwest corner of 135<sup>th</sup> Street and Roe Avenue. This project is in substantial compliance with the approved final plan for the overall development. This building will be constructed of brick, glass and stucco. The applicant has worked extensively with staff on changing the elevations; however, staff still has concerns with the amount of stucco on the building. Staff compared this building with the two-story Town and Country Bank, which is the only other two-story building in the development, and the drawing for that is attached in the staff report. The trash enclosure is shown detached from the building. Staff is recommending they attach the trash enclosure with the

architecture of the building. Staff is recommending approval of this case with the stipulations stated in the staff report.

Williams asked where the applicant is proposing to use spandrel glass. Joseph stated on the west side, which is the rear side of the building that faces the pond. Williams asked if the spandrel glass would be located at all of the glazed openings. Joseph stated it would be the two windows that are labeled "SP" on the elevation drawing.

Rohlf stated it seems there is a lot of open space on this lot. She then asked if that is because of the overall grade of the lot. Joseph stated it is because of the pond that is on their lot. Rohlf asked if the installation of the traffic light at 137<sup>th</sup> Street and Roe Avenue is still planned. Ley stated that will be installed when the traffic signal is warranted by the traffic volume. Rohlf asked who would make the determination of when it was needed. Ley stated the Public Works department. Rohlf asked staff to comment on the grade difference between lots one and two. Joseph stated this building is two-story and the building to the north is only one-story. The difference between the finished floor elevations is 5 ft.

**Applicant presentation:** Presentation by Bob Sanders with RSA Architecture. He is representing BP Development, which is Doctor Brad Vince, who is here tonight to answer any questions. The applicant has worked with staff and staff has been very good to work with. This is a two-story, 16,000 sq. ft. building. It is located immediately east of the detention pond at Briar and 137th Street. The site has been rough-graded. They are final grading it to set the building, parking and sidewalks. There is very little room to change anything. That goes for the building location as well as the elevation itself. The parking lot driveways are already established on both the north and south sides, so they are tying into that. In terms of elevations, character and style of the building, the applicant is working within the guidelines of Plaza Pointe. They have received approval from the developer for the architecture and the building materials. *Sanders described the elevation drawings.* This building design is predicated on the example of what was approved at the preliminary development stage for the overall development. The applicant has four issues with the stipulations. The first is the proportion of building materials, meaning stucco to brick. They believe they have appropriate building design with the materials shown. They were following the developer's architect's example. The percentage of materials is about 55% brick and the balance of that is in stucco, so there is a little more brick than stucco. That is primarily on the side elevations where they bumped that up to the second level. The second item is the trash enclosure. Staff would like to have it attached to the building. The applicant has tried to make it work and has found it would be a fairly difficult thing to do. *Sanders showed a site plan with the detached trash structure and then showed a site plan as it would need to be if the trash enclosure were attached.* A trash truck would need to do a considerable amount of maneuvering to get to the trash enclosure if it were attached. Also, if it were attached, it would block some of the windows and they would lose four parking spaces. That would be less than the required amount of parking. The reason for the detached trash enclosure is due to these negative features. In the development of Plaza Pointe there is a detached trash enclosure that serves a couple of buildings. So, there is a precedent of detached trash enclosure. It is nice looking with masonry and metal doors as staff has recommended.

Azeltine asked how they would be losing parking spaces by attaching the trash enclosure. Sanders stated by attaching the enclosure they would need to create a drive for the trash truck which would then eliminate some parking spaces.

Sanders stated another item staff has mentioned is the retaining wall. It is a small wall on the west side that takes into consideration the patio that will be on the back side of the building. They are requesting to use a modular block wall that looks like stone. Staff has mentioned using a limestone facing. That can be done, but in construction that would require a concrete retaining wall and a facing or veneer with limestone which is more complicated, more costly and for a small retaining wall with a height of no more than 3 ft., they would much rather

use a modular block wall. The last item is the spandrel glass. The elevations were provided in the packet. In the center of the west side of the buildings, the glazing on the windows is handled such that in the center it is slightly different than the rhythm going around the rest of the building. They had to organize the windows differently due to the necessary columns that come down on the back side. They felt it was most appropriate to pull all of that glazing together. To do that they could by using spandrel glass along with the glazing so that it would all look appropriate and the same. From a distance, no one would notice the difference between the spandrel glass and the dark bronze glass they will have for vision glass.

Conrad asked if the detention basin is already constructed. Sanders stated, yes. Conrad asked if this is the configuration for the original detention basin. Joseph stated the shape of the pond has changed slightly. Sanders stated there is a slight dog leg that comes into this site. Conrad asked if it is a wet basin and also what type of edging it would have. Sanders stated it is a wet basin and has stone facing all around. Conrad asked the reason for the spandrel glass. Sanders stated there are two locations for spandrel glass. Duffendack asked for the reason for the spandrel glass. Sanders stated there are columns in that location. Munson asked if the only difference is that the spandrel glass is opaque. Sanders stated it has a treated backside. Munson asked if it makes that fenestration have two different looks; one opaque and one clear. Sanders stated, yes. He then showed an example of the spandrel glass. Munson asked what staff's objection is to this usage. Joseph stated spandrel glass is not allowed. They are showing four windows with spandrel glass at the front of the building, right above the entrance. Munson asked if staff would prefer something else there. Joseph stated staff is recommending regular glass. Rohlf asked what it is about the columns that make it difficult to do. Sanders stated it is purely an aesthetic concern. On the upper windows, one would see the plumbing and joists. Munson asked if the east elevation is the front of the building. Sanders stated, yes. Munson stated he can see where that becomes decorative and he is okay with that. He then asked how far away the west elevation is from sight-seers. Sanders stated the general public would not notice the spandrel glass from the dark bronze vision glass. The horizontal distance is somewhere around 200 ft. on the west side. It would be even less visible on the east side. Henderson asked if the detention pond lies between the building and Briar Street. Sanders stated, yes.

Duffendack stated the Commission has objected to the use of glass in areas where there is a false impression of a window being given. It is fairly common to use spandrel glass as part of the whole glazing concept when, architecturally, there needs to be a larger expanse of glass shown. It is more noticeable when the lights come on inside the building. It is a fairly common use of glass systems.

Munson asked in what way staff would change the appearance of the building if they were to reduce the amount of stucco. Joseph showed a rendering of a building from the design guidelines for the development showing brick used all the way to the top on some areas, where stucco is used more of an accent material. Munson stated he believes what this applicant is proposing is superior to the bank.

Rohlf asked if they could move the columns in order to eliminate the spandrel glass. Sanders stated it would be very difficult to remove the columns. They were having difficulty on that west elevation and this seemed to be the best solution. Rohlf asked what should be done with the trash enclosure if attaching it would lose the required number of spaces. Joseph stated, per the LDO, the trash enclosure needs to be attached. Sometimes we look at alternative uses. Within the Plaza Pointe development there is one other building that has a detached trash enclosure. Primrose could not attach, so we allowed them to have it detached. Rohlf asked the reason that was allowed. Joseph stated he believes it was the elevation. At that time the Commission stated it should not set a precedent for other buildings. Rohlf asked how the required parking would be handled. Joseph stated this development has a cross-parking agreement, so there are other areas where people can park. The Commission could approve a deviation for the parking if need be. Duffendack asked if there would be trash in this enclosure that would be considered medical trash. Sanders stated, no. It would be typical office trash, mostly paper.

Azeltine asked if staff is saying that having it attached is more important than having the required amount of parking spaces. Joseph stated staff has not reviewed the proposed plan with the attached trash enclosure. Staff can work with the applicant on designing it. There could be another option for access.

Henderson stated the requirement for a trash enclosure to be attached was set for a number of good reasons. He thinks there was another exception to that rule where a building was close to a small creek and could not get an enclosure next to the building. The Commission has made exceptions where it seems warranted. He shares his colleague's concerns and whether they should give up parking spaces and have a difficult route for the trash collector to back into or if they should have it on the perimeter. He then asked staff if they have had any difficulties at the locations where the trash enclosure is located at the perimeter. Joseph stated the Chuck Peters development used an internal trash collection. They are saying that is because we required them to attach the trash enclosure. According to them it is working pretty well.

Williams asked how the detached trash enclosure on lot 2 of Plaza Pointe is working. Joseph stated he has not heard of any problems.

Munson asked if the only retaining wall proposed is around the proposed patio. Sanders stated it is about 3 or 3 ½ ft. in height. Munson stated staff is recommending the applicant to not use modular block and he sees staff's viewpoint on that. Sanders stated the retention pond has stacked stone all the way around the perimeter. The west elevation is in close proximity. They are trying to mimic that material in the modular wall, so it has a textured surface in a color similar to the stone. Munson asked if they have explained that to staff. Joseph stated, no. Munson suggested the applicant work with staff. Duffendack stated the stone around the pond is stacked limestone, so they could get fairly close to that with a stacked limestone veneer. Sanders stated they could.

Joseph stated, in regard to the elevations, per ordinance, stucco may only be used as an accent material. Duffendack stated the approved elevation from preliminary has been followed very closely in this final.

Rohlf stated she likes the submitted elevations. She does not have a problem with detaching the trash enclosure, although she believes the applicant should work with staff on the parking. She is okay with the spandrel glass.

**A motion to approve was made by Rohlf with modifications to delete stipulation number 5, modify stipulation number 6 to include, "the applicant will work with staff to see if there is another location for the trash enclosure", and delete stipulation number 10. Motion seconded by Munson.**

Williams stated, in regard to the trash enclosure, the building to the north had a similar request and is almost a mirror image of this building. He does not see why attaching it to the building would not work, or at least getting it closer to the building, and have something to give it more aesthetic appeal. Duffendack stated the motion was made to leave the stipulation as is and the applicant will work with staff to try to find other alternatives. We have restricted it to the development ordinance and opened the door for other possibilities. Williams stated he understood the motion to eliminate the requirement for it to be attached. Azeltine asked for the motion to be re-read. Rohlf stated she made a motion to modify stipulation number 6 to add the language that the applicant will work with staff to determine the feasibility of attaching the trash enclosure to the building. She is not opposed to it being detached. She is leaving it up to staff. Duffendack stated he feels her added sentence goes against the first sentence in the stipulation. **Rohlf amended her motion to delete the first sentence in stipulation number 6 that requires it to be attached. Munson agreed to amendment.** Henderson stated he is opposed to deleting number 6 because the requirement for trash enclosures to be attached has been effectively working on the buildings they have approved. Williams stated he agrees with Henderson. Azeltine stated he agrees, but he will

be voting for it, because he feels the Commission needs to be consistent. Williams stated the building to the north of this has a trash enclosure attached and it is almost a mirror image. He does not see any difference between this one and the one we enforced the attached trash enclosure. Henderson stated he is supportive of deleting stipulations 5 and 10.

**Henderson offered an amendment to the motion that stipulation number 6 be retained as is. Williams seconded the amendment. Motion to approve the amendment approved unanimously.**

Henderson asked if the motion now approves all stipulations except 5 and 10. Duffendack stated that is correct.

**Motion approved unanimously.**

**CASE 74-05 SUNRISE SENIOR LIVING - TEMPORARY SALES TRAILER** Request for approval of a special use permit to allow a temporary sales trailer. Located south of 115th Street and east of Roe Avenue.

**Staff presentation:** Presentation by Jeff Joseph. The applicant is Andy Schlagel. The applicant is requesting approval of a one-year special use permit for a temporary sales trailer. This property is located south of 115<sup>th</sup> Street and east of Roe Avenue. The elevation of the building is single-story with pre-finished wood siding. The main entrance to the building is on the east side. An interact meeting was held on November 9, 2005 and the summary was included in the packet. It appears there were no concerns regarding this project. After the staff report was sent out, the applicant requested a deviation. Right now, they have a 10-ft. parking setback and the requirement is to have a 25-ft. setback. Staff is recommending approval of this case with the stipulations stated in the staff report.

Duffendack asked if Joseph is changing staff's recommendations based on the deviation request. Joseph stated, since this is a temporary use, staff is supportive of the deviation. Duffendack stated stipulation number 10 would need to be changed to read "10 ft."

Conrad asked if the curb cut on Granada is far enough away to not be a problem. Ley stated he feels there will not be a stacking issue for vehicles.

**Applicant presentation:** Presentation by Andy Schlagel. In regard to the requested deviation, they only have 5 parking stalls and if they moved the setback to 25 ft. they would lose two of those spaces. Since this is such a temporary use the applicant would appreciate consideration of the deviation. They believe 5 spaces works very well for them. They are providing good, solid landscaping. The applicant has no difficulty with any of the other stipulations.

Conrad asked if any of the landscaping is going to be permanent after the trailer is removed. Schlagel stated a lot of it would remain, particularly the landscaping on the north and west sides.

Henderson asked if they would only need one year for this trailer. Schlagel stated their initial request was from March 1, 2006 to January 31, 2007, which is 11 months. 12 months would allow them 30 days to get through the building permit process. One of these facilities just opened in Lenexa and it got filled very quickly.

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



**A motion to approve was made by Williams, with a modification to stipulation number 2 to read 10 ft. instead of 25 ft. Motion seconded by Azeltine. Motion approved 5-1. Munson against.**

Joseph stated that the applicant for 69-05 is now in attendance. Duffendack stated they would be heard after the next two cases.

**CASE 76-05 SHOPS AT 119TH** Request for approval of a final plat and final site plan. Located at the southeast corner of 119th Street and Roe Avenue.

**Staff presentation:** Presentation by Mark Klein. The development will be made up of 163,777 sq.ft. of construction on 15.64 acres for an F.A.R. of 0.24. The development will consist of an 112,077-sq.ft. main center and three pad sites consisting of 51,700 sq. ft. that are aligned along 119<sup>th</sup> Street. This case came before the Planning Commission on September 13<sup>th</sup> of this year and was approved as a preliminary plan. The first phase of the development will include a 33,500 sq. ft. two-story building at the corner of 119<sup>th</sup> Street and Roe Avenue, which is the Crate and Barrel building. The Crate and Barrel building will have entrances along both the south and the east sides of the building. There are a number of pedestrian connections throughout the development that will connect the development together. One of the connections discussed during preliminary was a primary pedestrian connection within a wide landscape easement that is 54 ft. in width and has an 8-ft. pedestrian pathway. That is centrally located and connects the main center with buildings B and C. There is also another landscaped island with an 8-ft. pedestrian path that is 31 ft. in width located directly south of the Crate and Barrel building and connects the western corner of the main center with the Crate and Barrel building. There is a third pad site that is located at the eastern portion of the site. It is an 8,400 sq. ft. one-story building that has parking on both sides. The applicant is also proposing two retaining walls that were discussed during the preliminary plan. They go along the south of the development along Tomahawk Creek Parkway. These have been broken up into two retaining walls. At the time of preliminary site plan the walls were a little bit larger. One of the stipulations of the preliminary was that the applicant work with staff to reduce the scale of those. They have done that. Now the upper retaining wall ranges in height from half a foot to a little over 4 ft. with a combined height of the walls ranging between about 6 to 13 ft. in height. The applicant has also proposed landscaping along the public right-of-way that is conformance with the 135<sup>th</sup> Street guidelines. They have also added landscaping along the tiers of the wall to break up the massing of retaining wall. Staff is recommending approval of this case with the stipulations stated in the staff report.

Conrad asked if this is a request to modify the sign criteria for the entire development. Klein stated, yes, staff made a number of recommendations to the sign criteria. Conrad asked if the sign criteria are in conformance with the development ordinance. Klein stated it is fairly in conformance. There are a couple of modifications that would bring it into conformance. The statement that window signs may not be more than 5% is straight from the development ordinance. There are things that have been done in that past such as limiting signs on the outparcels to two per building, however a third may be allowed only if it faces the interior of the development and is not visible from the public right-of-ways. That has been done with other developments. It allows them to have signs to identify the building within the development. Staff has tried to address some of the criteria that could become an issue later on. For example, there was not a maximum height for a multi-line sign for the major tenants and we want to make sure there is a maximum to compare it against. Conrad asked if staff feels comfortable with the 15 items in stipulation 16. Klein stated, yes. Conrad asked if there are any utility right-of-ways along that side of the street. He would not want to have an issue where, in 5 to 10 years when the landscaping is matured, they are tearing it up to install utilities or repair old ones. Ley stated the utilities have another corridor and there is plenty of right-of-way for utilities. It is on both sides of the streets. Conrad stated he wants to make sure there would not be a problem in the future.

Klein stated, in regard to signage, staff looked at the Crate and Barrel building as a separate case because at the time it came through for preliminary there was a stipulation that the applicant be allowed at least four signs and no more than five signs. The applicant is still requesting five signs for that building. Duffendack stated that is addressed in staff stipulation number four.

Henderson asked if the City has looked at how these complicated lawsuits have resulted in regard to gas leaks. Klein stated staff has not looked into the legalities of environmental cleanup. The applicant may be able to explain the process that they went through when purchasing the property.

Rohlf asked how the 135<sup>th</sup> Street guidelines come into play for the landscaping. Klein stated the requirement for street trees is 35 ft. on center around the property. The applicant felt they could create a better feel, given the developments around this area, if they be allowed to vary that requirement a little bit by clustering the trees, and not reduce the count. The only place it does not meet that 35-ft. requirement is around the Crate and Barrel building. Staff reviewed it against the 135th Street corridor guidelines to make sure they had the right count of landscaping and they did.

**Applicant presentation:** Presentation by Jeff McMann of RED Development. It has been the applicant's goal to have Crate and Barrel open by the fall of 2006. It is also their goal to have the shopping center open by the spring of 2007. They anticipate coming forward for the final documents for the balance of their shopping center in January. It is following this submittal. *McMann introduced the development team.*

Phil Crissara showed the three-dimensional model for Crate and Barrel. The materials for this project continue to play a support role to the striking Crate and Barrel building. There are two light brick selections that would be on the collection of shops for building A. They are light and fresh and complementary and supportive to the Crate and Barrel building. There is a larger, smooth warm gray masonry material that will be a base material on the building and will have a unit size of 12 inches by 24 inches. It will have a nice weight and seat this building that is primarily a common bond brick. There is a stucco color in a beige range. It is used as an accent material to break the line of the masonry so that each of these components have some special quality to it which will be augmented when shops are built and they have some autonomy from each other. There are a few small areas where etched glass is used as an accent material. It is not intended to look like a window at all. The metals that are used for the aluminum storefront are a bronze color. They feel it is a classy complement to the range of earth tones. The materials selected are the same as presented before.

Williams asked if the applicant is proposing to build the buildings presented tonight and then the tenants would make minor modifications to their store fronts. Crissara stated the tenants will be allowed to have some latitude in their storefronts. There are guidelines in the tenant book that give them the materials and color pallet they can work with.

Presentation by Jacques Luenden. The issues of concern by the Commission and raised by staff were issues that had to do with signage mostly. The applicant is still requesting five signs. They feel it is important to do five signs. The building is not a box; it is very three-dimensional, which makes the signs less visible. They are challenged with view corridors and perspectives showing that they need those five signs. Luenden showed three-dimensional elevations. Looking at eye-height approaching the building on 119th or Roe the sign is not in the middle or obvious location. It is in corners of white metal panels to look like their business card presentation. The sign is never a dominant portion of the building. For example, on the front façade, it is on the very right-hand side of the building. When one is in the shopping center, there is no signage unless there is signage on the back side of the building on the metal panel. They do not intend to build any kind of monument sign in order to keep the landscaping clean. Another issue was the accessories that are part of the center. Item number 13 on page 10

states, "the site amenities, which are pedestrian lights, parking light fixtures, trash receptacles and pavers, shall match the remainder of the overall development. He thinks the parking lot lights make sense but looking at the site layout, the plan is for those amenities to be in a black or bronze color and the Crate and Barrel building is in light tones. They do not want the focus to be on the parking light fixtures. The applicant would like to have those amenities in white or a color finish that would make them less noticeable. The other comments are in regard to landscaping and Dean Gregory can better address those issues.

Presentation by Dean Gregory, Associate Landscape Architect with Douglas Herr Landscape Architects in Chicago. There are certain streetscape guidelines for landscaping along the frontage of this project and the frontage along the north and west sides of Crate and Barrel, although deviating from the regular pattern of plant material with understory trees and shrubbery. Although the arrangement differs from the larger mall area, the quantity of the plant material exceeds what is required under the landscape ordinance. As a corner site, it is an opportunity to create a gateway of sorts into that shopping district. Each one of those corners has a landscape in front of it that is more or less informal. What they have tried to do in each of the Crate and Barrel projects is to become part of a place. In this region, they have an opportunity to be informed by the plant material and the forms and the landscape that offer them the opportunity to create very beautiful landscapes. On the north side of the building are informal groves of trees, a broad stylized prairie of grasses and other flowering forbs that will create interest throughout the year. Similarly, along the west frontage they are proposing an informal grouping of trees. The front of the Crate and Barrel store on both the south and east sides will be low curb planters with large limestone blocks that will function as seating elements for shoppers. They would also be a disincentive to skateboarders. They have tried to select plants that are seasonally interesting and also celebratory to the front of the building. The applicant is required to provide a connection from the front north door to 119th Street. It is not shown on the plat, but it can easily be done.

Conrad asked if there is a service drive on the west side of the building. Gregory stated, yes, there is a masonry wall to screen any delivery vehicles. Trees will also be planted to further assist in screening. Conrad asked if there is any passenger car parking to the left of that drive. Gregory stated, no.

Presentation by Ken Boon of Oschner Hare and Hare. The planting that surrounds the rest of the development has street trees and the required screening in front of all of the parking elements. They have ornamental grasses in front with an evergreen shrub that will grow at a maximum height of 4 to 5 ft. tall. If that does not cover, they would work with staff to make sure that it does. They will use the ornamental trees to clump together and provide windows to see into the center. They have addressed the retaining wall issues raised at the last meeting. They have graded the land up from the back of the sidewalk that runs along Tomahawk Creek. In most places they lost about 4 to 4 ½ ft. of wall than was previously proposed. That lower tier is now the one that is the shortest. The landscaping in that tier will be about 4 to 5 ft. tall. The material of the wall is the Versa-Lok mosaic. There are blended mixes in the stones themselves. They think it will be a nice accent for that wall. Handrails are proposed. The applicant has indicated on the landscape plan that was submitted that they want to provide a channel-cut pin-mounted letter sign on that top tier of the landscape wall on the corner of Tomahawk Creek Parkway and Roe Avenue.

Munson asked to be shown the location of the sign on the model. Boon showed the location on the three-dimension model. Munson asked what the sign would read. Boon stated it would read, "Shops at 119<sup>th</sup>".

Henderson stated he visited the Geneva, Illinois Crate and Barrel building. He cannot remember how many signs there were because they were so invisible. It was done very tastefully.

Conrad stated he would like to have more presentation on why the applicant feels they need a fifth sign. Luenden stated as one looks straight on at the south elevation you might wonder why there is a need for a second sign, but if one looks at the model it shows what a different pane they are. It is very important to have a vertical sign on the left-hand side. They feel it cannot be seen as a Crate and Barrel building without the five signs. They originally thought of a monument sign but thought the signage on the building would be more appropriate. Conrad asked if it will be the same intensity of black. Luenden stated, yes. Conrad asked if that corner has so much landscaping that it would obscure that sign. Luenden stated, no. Conrad stated he feels the signage has been very well thought-out; however, it is a deviation. Luenden stated when he designs the store he wants people to know that it is Crate and Barrel store. They are fairly small signs.

Conrad asked if the applicant is anticipating any signage on the south elevation of the major shopping piece. Crissara stated, no. McMann stated they did talk about signage on the east and west end caps. Conrad stated he is supportive of not having signage on the south side.

Klein stated there is a section of the LDO that speaks to the use of concrete masonry units (CMUs) that prohibits them outside of landscaping walls within residential projects. The Commission has seen a couple of requests for CMUs. Ironhorse Centre requested a wall that was created out of the same material this applicant is proposing. This is a deviation. Duffendack stated the proposed form of modular units is a lot better than what has been seen in the past.

Williams thanked the developer and design team for responding to the Commission's concerns. He feels they have done a nice job in developing what will be a nice project. They have done a nice job in establishing the design criteria for the center. When he first read the design criteria he felt there was a lack of design criteria for the pad sites but he was pleased to hear that the main center will be constructed very closely to what is presented tonight. He would hope that with the two pad sites that are yet defined the architecture will complement the development, particularly because they front 119<sup>th</sup> Street, which is a main corridor through our community.

Henderson asked Conrad and Duffendack's opinion on whether or not the materials shown on the material board match the ones listed in the staff report under the trade names. Duffendack stated they are recognizable names. Williams stated he is very comfortable with what they have listed and presented.

Duffendack asked the Commission to discuss the deviations requested by Crate and Barrel regarding the site amenities and fixture colors. Munson asked if they are recommending white. Luenden stated, yes. Munson asked what color the other fixtures would be in the rest of the center. Luenden stated dark bronze. Williams stated he feels that the lighter fixtures would be appropriate, due to the architecture of the building. The dark bronze could be distracting to the building and the elements they have created. He is supportive of using white. Conrad asked if the applicant could show which parking lot fixtures they are proposing to be white. McMann stated they would use the same lighting fixture color throughout the development. He believes Crate and Barrel is asking to change the color on the bench and trash receptacle at the front door. Luenden stated the parking lights that are used on the parking lot would all be the same. The items right around the store, which are the trash receptacles, benches and site lighting, would all be white. Duffendack stated the stipulation calls out parking lot light fixtures, so that would need to be altered in the motion.

Henderson asked about tracing leaking oil and what happens. McMann stated they have an agreement with the land owner that it is their obligation to mitigate before they take ownership of the site.

Skip Johnson of BHC stated they have gone through extensive remediation on the site with several site investigations. The tanks were removed by the gas station owner. Those were done according to the KDHE

procedures. They did a phase one and phase two environmental site assessment for both the gas station and the Crate and Barrel site and the rest of the pad site and they have gotten a clean bill of health on all of it. The rest of the gas station will be removed by the end of this week. The tanks and all of the equipment are gone. The only thing left is the shell of the building. Henderson stated it is not immediately apparent if there is errant oil in the ground. Johnson stated they have completed site investigations which included borings and test pits. There was nothing was found. There are no monitoring wells that need to be placed on the site for further continuation of monitoring. It has not been deemed as a hazardous site.

**A motion to approve was made Conrad, modifying stipulation number 10 to add, "A monument shall not be placed at the northwest corner of the development.", modifying stipulation number 13 to read, "The pedestrian site amenities used by Building B, Crate and Barrel, including pedestrian light fixtures, trash receptacles, planters, pavers, etc. shall match the configuration of the overall development but may be a different color with staff approval.", and modifying stipulation number 4 to include a sixth deviation of, "The applicant shall be allowed the use of CMU's as listed in the design guidelines for the wall along Tomahawk Creek Parkway, which is a random patterned tumbled masonry unit, with staff approval."**

**Motion seconded by Azeltine.** Williams suggested the Commission give staff some guideline on the color for the amenities around Crate and Barrel. The applicant has suggested white as a color. He is not sure if we need to leave it up to staff's discretion. Conrad stated he would like to leave it up to staff, who understands the direction of the Commission. **Motion approved unanimously.**

#### **OLD BUSINESS:**

**CASE 69-05 PARKWAY PLAZA** Request for approval of a preliminary site plan. Located at the northwest corner of 135th Street and Roe Avenue.

*Commissioner Duffendack recused himself from this case.*

**Staff presentation:** Presentation by Jeff Joseph. This case was continued from the October 25<sup>th</sup> meeting due to some outstanding issues. The applicant has worked with staff and submitted a revised plan with the following changes: The overall parking ratio has been reduced from 4.2 to 3.9 spaces per 1,000 sq. ft. of lease space. One of the drive accesses from 133<sup>rd</sup> Street into the office area has been eliminated. A pedestrian amenity has been added to the southwest corner of 134th Street and Roe Avenue as part of the bonus feature. Staff is recommending approval of this case with the stipulations stated in the staff report.

Rohlf asked why staff is in approval of the deviation on the parking spaces. Joseph stated staff would like the Commission to make the decision on that. Staff is supportive of it.

Henderson asked if there is a phasing schedule. Joseph stated they have final approval for the main structure, but they do not have a building permit yet. Munson asked which building he is referring to. Joseph stated it is Retail 1. They are proposing to build 22,500 sq. ft. of that building first.

Williams asked what type of landscaping is proposed to screen cars' headlights for the area north of 133rd Street across from the northwest office development's one drive. Joseph stated we would look at the landscaping plan at the time of final plan. They will meet the requirements of the development ordinance for screening. Williams stated a Commissioner that is not present tonight had concerns about the three-story office building and its relationship to the corner and to the development. He does not see any change to that corner. He then asked if that is accurate. Joseph stated the only change they made was to eliminate the access drive. There is a little bit

more open space in that area. With respect to height, they had a three-level condominium before, which was 65 ft. in height and this building is 56 ft. in height, so it is a little bit less than the previously approved building.

Conrad asked about the level of service on some of the intersections. Ley stated at 135th Street and Roe Avenue there are some improvements that will be made as part of the other approved developments. It will operate at a service level of D. At 133rd Street and Roe Avenue they will be adding an additional eastbound left-turn to give dual eastbound left turns which will raise the level of service at that location to D also. Conrad asked if the applicant has improved the service level from the previous submittal. Ley stated from the original approval they have decreased the delay at 133rd Street and Roe Avenue by adding that dual eastbound left-turn lane. Conrad asked if a service level of D is acceptable. Ley stated, yes. Conrad asked if the change was made due to the change from condominiums to office in that one area. Ley stated the lights were always going to be there, but the additional turn lane is due to the change to office. Conrad stated when the plan first came in there was a very definitive amount of retail, office and residential. It worked well with the residential development to the north. The applicant has whittled away what this development was going to be and is now adding 18 more ft. of pavement.

**A motion to extend the meeting until 9:15 p.m. was made by Conrad and seconded by Williams. Motion approved unanimously.**

Conrad asked to address the issue of the Ironhorse Centre - Building 6 case. Rohlf suggested extending this meeting further to hear the final case. Henderson stated he would support that.

**Applicant presentation:** Presentation by David Suttle of Suttle Mindlin Architects. The traffic and the office building itself seem to be the things that were under discussion at the last meeting. The traffic report that was brought in indicated some changes that were needed to raise the level to make it more efficient. Those are the things that would raise the level to being acceptable. He believes the understanding would be that 133rd Street and Roe Avenue would require extra turn lanes and the development of that would be part of the benefit district. The issue of the office building that was mentioned, he thinks it is fair to say that he was also in that same camp, but feels that it is more sophisticated and more variety to have smaller areas of development rather than spreading the same idea out so large. Aside from the marketplace, it speaks fairly loudly that the concept will not extend and be a viable development on the other side. They found out that is not an option, therefore it needs to be something else. They have a client that wants to make their corporate office there. It is complementary. The office development has taken on more of that role because there are a variety of office styles and heights in this development. If they were doing an ideal block of monopoly pieces and developing a village scene with a mixed scene we would have some higher and some lower. He is very comfortable at this point. He does not believe that it is a compromise from the original intent. There were four buildings, all taller than this building, originally proposed and this building is further away from the residential to the north. The aerial view does not give a true sense of what it would look like from the street level. He has been working with the client to bring this into an intimate intersection where there is a sense of balance.

Williams asked how far away the three-story office building is from the residential neighbors to the north. Suttle stated about 360 ft. Williams stated in that area they have one driveway exiting to 133rd Street and one to Briar. He then asked how many cars will go out the one driveway exiting to 133rd Street. Suttle stated it would be fairly flexible and situational. Williams asked how many parking spaces are allotted for this area. Joseph stated 297. Williams stated the thing that bothers him the most about the corporate building is that even though it is technically lower by 10 ft., it is much harsher than the condos when looking at the scale and mass of it. He would like to see something that can be done to soften that approach to the corner. He likes what the landscaping is doing to break up and soften the view of the parking. He appreciates their effort to reduce the parking numbers.

Rohlf asked when the other office building would be built. Suttle stated it would not be in that same phase. Rohlf asked if it is tied to this building. Suttle stated, yes.

**A motion to extend the meeting until 9:45 p.m. was made by Williams and seconded by Conrad. Motion to extend the meeting was approved unanimously.**

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

Henderson asked if Ley is in approval of the letter from Bucher Willis Ratliff. Ley stated he has reviewed the letter and agrees with their comments.

Munson stated he does not like the idea of changing what was originally approved for the site plan. They worked to make sure there was residential next to the single family. He feels that if there is to be a change, it should still be residential. The proposed office building does not match anything in the development. He is opposed to it.

Williams stated he does not have a strong objection to it being used for office space with the way this has been planned out and with the landscaping proposed. It would be a different story if they proposed a three-story building on the north side instead of the one-story. It is a small building. Its footprint is not much larger than one of the condominium towers. The landscaping makes an attempt to screen the parking, which had been an objection to residents as well as some Commissioners. He agrees the building is a little stark and needs more before it comes back for final application. He does not see this as being that big of a problem.

**A motion to approve was made by Williams. Motion seconded by Henderson. Motion approved 3-2. Azeltine, Williams and Henderson in favor. Munson and Conrad opposed.**

*Commissioner Azeltine left the meeting and Commissioner Duffendack returned.*

**CASE 78-05 IRONHORSE CENTRE - BUILDING 6** Request for approval of a final site plan. Located at the southeast corner of 151st Street and Nall Avenue.

**Staff presentation:** Presentation by Mark Klein. The applicant is requesting approval of a final site plan for the construction of a two-story, 24,000 sq. ft. office building located at the southeast corner of Ironhorse Centre development. This building is located on the eastern portion of Ironhorse Centre, which already has a number of buildings built. Two other buildings, on lots 3 and 4, have been approved. This building is surrounded by the golf course on the east and south side. The architecture of the building is significantly different than what was approved with the design guidelines; however, the applicant has agreed to use materials that tie into the rest of the development. Staff has included in the packet both the previously approved site plan and an elevation example that was approved as part of the design guidelines. The design has a flat roof, is V-shaped with an interior open courtyard. They are using cultured stone and stucco. The applicant has stated both the cultured stone and stucco will match what is used for the rest of the buildings, including the buildings that have already been built. They are also proposing some wood to be used on this building. Staff is recommending approval of this case with the stipulations stated in the staff report.

Munson asked how this building would look in contrast to the buildings that have already been built in this development. Klein stated the architecture is substantially different. Munson asked why the applicant is requesting something different than what was approved. Klein stated the applicant has indicated they have a

client for this building, an architectural firm, and they feel it is an important user and the building will fit in with the development since some of the colors and materials will match. Klein showed the approved materials board for Ironhorse Centre and the materials board proposed for this project.

Henderson asked why the staff report says that no deviations are requested, yet it reads the parking setback is 0 ft. Klein stated that was approved as part of the preliminary plan. This lot is not requesting any additional deviations.

Williams asked if the elevations shown in the packet show buildings that are actually built right now. Klein stated they are from the approved design guidelines for the development. Williams asked for a description of the materials on the elevations. Klein stated they are proposing cultured stone around the base that comes up onto some of the columns. The other portions are cream colored stucco. The roofs are sloped on these elevations and those are a concrete tile. The roof on the proposed building is flat. There is a mechanical screen that is located at the vertex of the V. Staff was concerned that it might look too prominent. The applicant has agreed to lower the screen wall for the rooftop mechanical equipment, so it will not be quite so massive. Williams asked what the checkerboard pattern on the elevation drawings is representing. Klein stated those are relief patterns in the stucco and they also have a pattern going on between the stucco and the cultured stone. Williams asked if it is brick above the stucco, except for the cross patterned areas. Klein stated it is primarily just cultured stone and stucco. Williams asked if there is brick on the building. Klein stated, very little. Williams asked if the two-story building has been built yet. Klein stated, no. This is the first two-story building in the development seeking approval.

Conrad asked if there is still the possibility for buildings to the north and west of this. Klein stated the building on lot 6 was up by lot 7 and the new plan moved the building on lot 6 down into the corner to take advantage of the golf course views. There is a drive between the two to access seven parking spaces along the back east property line and also six parking spaces that are covered on the east side of the building. They are showing 10 future parking spaces located within that drive. Staff is not supportive of those future parking spaces because that would make the drive wider and staff wants to maintain some sort of plaza area to tie those two buildings together. The rest of the site plan has maintained the basic character.

Duffendack pointed out he has a son that works for C3 but he feels that does not create a conflict of interest.

**Applicant presentation:** Presentation by David Rezak with 360 Architects. He is representing Fred Merrill with Merrill Companies, the developer of Ironhorse Centre. This will be a headquarters building for C3. It is a rapidly growing company that is currently located in Overland Park. They looked at how to incorporate this building with the entire development, meeting all of the approved guidelines. The applicant is in agreement with all of staff's recommendations.

Conrad asked if the parking light fixtures would be consistent with the rest of the development. Rezak stated, yes. They are using the same materials and the same pallet as the rest of the buildings that are already built. In regard to the shape or orientation of the building, they worked with the tenant to maximize the views of the golf course to the east and south.

Henderson asked if there is a central architect for the entire development. Rezak stated there are different architects. This building is using the same materials and pallet as the other buildings in the development. Henderson stated he wants to make sure that it fits in with the other buildings. Rezak stated the intent is to make it fit in. Duffendack stated a problem the City continually faces is the ability to keep a development compatible.



He feels the applicant is saying that they are doing that with the materials, not necessarily the shape of the building. Rezak stated he believes there are a lot of similarities in the façades.

Presentation by Fred Merrill of Merrill Companies, developer of the project. In regard to how the continuity would work for the development, the developer oversees everything that goes on. They are attempting to follow the original guidelines and standards for the entire development. There can be different engineers and architects for each building, but they have been very careful to maintain those standards that were originally established. This building is different from an elevation standpoint than the others that are out there. The others that are out there right now are one-story buildings. This will be the first of two two-story buildings that will be there. They have the opportunity to establish a little bit of a design for a two-story building and they tried to do that using the same materials and colors as the one-story building. The reason for moving the building into the corner is that the client was trying to take advantage of the views. They have worked with staff to do that. They were very careful to use the same percentage of materials. There is actually more stone on this building and the accent materials of wood and stucco are less than on the other buildings. The roof line is more of a parapet with the wood members and the reason for that is to have the wood members closer to the treed areas at the southwest corner of the site. That is where the most dense woods are. The client wanted to incorporate that into the design of the building. They are trying to maintain the integrity of the development standards. All of the other buildings will follow the same amount of stone with accents of stucco. The color palettes will all be the same and it is their intention to follow that throughout the development.

Rohlf asked if the plaza area is part of this lot. Merrill stated the plaza area was always meant to be between building 6 and 7. They have redesigned it so it is a larger plaza area. It is still between building 6 and 7; however there is some parking there. They have connected it with sidewalks and brick pavers. It will be built as part of building 7.

Conrad asked which building would be the other two-story building. Merrill stated building 5. It is directly west of building 6. It is basically in the same location that it was on the original site plan. Conrad stated he feels that it is not just the colors and the material palette that tie a development together. It is also the massing and how the entire site unfolds. He thinks there might not be reason for a flat roof on the other two-story building. He is probably supportive of the deviation away from the pitched roof.

**A motion to extend the meeting until 10:00 p.m. was made by Munson and seconded by Henderson. Motion to extend the meeting approved unanimously.**

Williams stated he likes the fact that they are continuing to use the same materials. He thinks this building relates better to the golf course than the design that was previously proposed. He likes the larger expanse of glass which opens a relationship up to the golf course. He likes the overhang aspects of the buildings with its pitch. This proposal does have a better connection to the woods than the previous submittal. He likes the shape and feels it will be a nice addition to that development. It reads to him as a softer building. He is supportive of this project.

Henderson asked who will take care of the silt ponds required by the Public Works memo. Ley stated the storm sewer has already been built from this development through the golf course and releases into the creek, which is on the east side of this development. In front of those area inlets will be silt ponds, which would be the builder's responsibility. In order to get a building permit they would need to completely grade the site and put up their erosion control methods.

Duffendack stated he agrees with Williams' evaluation of the building. It is a very nice building.

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

Meeting adjourned.

---

J. Paul Duffendack, Chair