

City of Leawood Planning Commission Minutes

November 13, 2007
Meeting – 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive

CALL TO ORDER/ROLL CALL: Present: Shaw, Roberson, Jackson, Conrad, Munson, Williams, Elkins

APPROVAL OF THE AGENDA: Mr. Munson asked for any additions or corrections to the agenda. There were none from the Commission.

APPROVAL OF MINUTES: A motion to approve the revised October 23, 2007 minutes was made by Elkins and seconded by Williams. Motion approved unanimously.

CONTINUED TO THE NOVEMBER 27, 2007 MEETING:

CASE 81-07 BI-STATE CENTENNIAL PARK – KIDDIE ACADEMY – Request for approval of a special use permit and a preliminary plan, located south of 141st Terrace and east of Overbrook, within the Bi-State Business Park Lot 20. **Public Hearing**

CASE 107-07 MORTON'S THE STEAKHOUSE - Request for approval of final site plan, located at the northeast corner of 117th Street and Nall Ave.

CASE 116-07 BUILDING 133 OFFICE DEVELOPMENT – Request for final plat and final plan, located west of 133rd and Mission Road.

CONTINUED TO THE JANUARY 8, 2008 MEETING

CASE 08-06 LDO AMENDMENT - SECTION 16-2-9.2 NON-RESIDENTIAL USES Request for approval of an amendment to the Leawood Development Ordinance. **Public hearing**

CASE 09-06 LDO AMENDMENT - SECTION 16-3-9 DEVIATIONS Request for approval of an amendment to the Leawood Development Ordinance. **Public hearing**

CASE 53-06 LDO AMENDMENT – SECTION 16-2-5.7 (RP-4 DISTRICT) Request for approval of an amendment to the Leawood Development Ordinance. **Public hearing**

CASE 55-06 LDO AMENDMENT – SECTION 16-2-5.2 (RP-A5 DISTRICT) Request for approval of an amendment to the Leawood Development Ordinance. **Public hearing**

CASE 56-06 LDO AMENDMENT – SECTION 16-2-5.3 (R-1 DISTRICT) Request for approval of an amendment to the Leawood Development Ordinance. **Public hearing**

CASE 57-06 LDO AMENDMENT – SECTION 16-2-5.4 (RP-1 DISTRICT) Request for approval of an amendment to the Leawood Development Ordinance. **Public hearing**

CASE 58-06 LDO AMENDMENT – SECTION 16-2-5.5 (RP-2 DISTRICT) Request for approval of an amendment to the Leawood Development Ordinance. **Public hearing**

CASE 66-07 LDO AMENDMENT – SECTION 16-4-5.7 PARKING LOT CONST. STANDARD. Request for approval of an ordinance to the Leawood Development Ordinance. **Public hearing**

CONTINUED TO THE JANUARY 22, 2008 MEETING

CASE 86-07 MISSION CORNER – Request for approval of a revised final site plan and a revised final plat - located at the southeast corner of 135th Street and Mission Road.

CASE 104-07 AT&T LIGHTSPEED – VRAD CABINET - OVERBROOK 7 – 13502 Mission - Request for approval of a Special Use Permit located at 13502 Mission Road. **Public Hearing**

CASE 113-07 LEAWOOD CAPITAL IMPROVEMENT PROGRAM – Request for approval of 2009-2013 capital improvements. **Public Hearing**

CONSENT AGENDA:

CASE 117-07 SO HO 119 - Request for approval of final site plan - located at the southeast corner of 119th Street and Roe Avenue.

CASE 118-07 SOLUTIONS BANK - MISSION FARMS, BLDG F - Request for approval of a final site plan, located at 105th Street and Mission Road.

CASE 121-07 GARDENS OF VILLAGGIO - Request for approval of a final plat - located at 137th Street and Roe Avenue.

A motion to approve the Consent Agenda was made by Williams, seconded by Elkins. Motion approved unanimously.

OLD BUSINESS:

CASE 109-07 AT&T LIGHTSPEED – VRAD CABINET - OVERBROOK 7 – 4001 W. 148th Street - Request for approval of a Special Use Permit located at 4001 W. 148th Street. **Public Hearing**

Staff presentation:

Mr. Joseph: This is case 109-07, AT&T VRAD cabinet located at 4001 W. 148th Street. This case has been continued from the October 23rd Planning Commission meeting due to some concerns regarding the location of the cabinet. The applicant has responded to the concerns, and they have relocated the cabinet to the west of the earlier location. Staff also talked to the resident who is adjacent to this property, and they have no more concerns regarding this location. Staff is recommending approval of this project. If you have any questions, I'd be happy to answer them.

Vice-Chair Munson: This does require a public hearing. Would the applicant please step forward to the dias?

Applicant's presentation:

Chris Carroll, AT&T, 8900 Indian Creek Parkway, Overland Park, Kansas, appeared before the Planning Commission and made the following comments:

Mr. Carroll: It's a pleasure to be here before you this evening, Mr. Chairman and members of the commission. As reported by staff, this was before you on the 23rd. We had two that were continued from that meeting, this being one of them. The staff did, as reported, have some concerns with the location. Quite frankly we think the recommendation of staff, which we've agreed to, is a better location. It should've probably been like that originally. It's a little closer to the clubhouse, about 20 feet to the west of where it was originally planned to be. It's kind of hidden behind some existing evergreens and I think probably an ideal location for this particular cabinet. The residents nearby concur on this change and support our plans to put in place this facility there. We have looked over the stipulations and certainly concur with all of them. We'd ask for your approval this evening. I'll stand for questions. This particular cabinet will serve the Pavilions of Leawood, that subdivision. This particular box, the cabinet, will provide video services to the citizens of the Pavilions of Leawood, that community.

Comm. Elkins: Mr. Carroll, with the new placement of the VRAD cabinets, will the cabinets themselves be visible from the streetside?

Mr. Carroll: The streetside being Alhambra as you enter with the pool on your right, the south? Is that correct?

Comm. Elkins: Yes.

Mr. Carroll: There's an existing cabinet there now, Service Area Interface cabinet, that we're going to landscape. Until the plants mature, there may be still some visibility, but heck, it's been there for all these years with no screening at all. I think it's going to be more difficult to see the VRAD, the new cabinet that we're asking for your permission tonight to move forward. It's further away. The original plans were to have them side by side. That probably would've been much more visible there, but as I reported this is, I think, a preferred location. Certainly staff, by their recommendation, acknowledged that it's a better location. I don't think you'll be able to see it.

Vice-Chair Munson: It does require a public hearing. Is there anyone in the audience that would like to make comments on this case?

Seeing no one, a motion to close the public hearing was made by Elkins and seconded by Jackson. Motion approved unanimously.

Vice-Chair Munson: Commissioners, it's in your ballpark what you'd like to do with this case. Looks like they carried out the request we had at the last meeting.

Motion to approve Case 109-07 was made by Williams and seconded by Jackson. Motion approved unanimously.

CASE 90-07 ONE NINETEEN – SULLIVAN'S RESTAURANT – Request for final site plan, located at the south of 119th Street and east of Roe Avenue.

Staff presentation:

Mr. Klein: This is case 90-07. The applicant is requesting approval of a final site plan for the construction of an 8,800 square foot one-story building within the One Nineteen development at the southeast corner of 119th Street and Roe Avenue. This site is currently approved for a 9,800 square foot one-story retail building with the overall site plan for the One Nineteen development. The application is limited to the site plan for a Sullivan's Steakhouse only. The Planning Commission saw this at the October 23 meeting that was continued until tonight based on some concerns with regard to the elevations. One of those was a service door that was located at the northeast corner of the building adjacent to a driveway that entered off of 119th Street and served as the main driveway into the development off that street. The applicant has removed that exterior door and curved the landscaping around it. There is actually a landscape plan that is placed on the dias that shows the revised landscaping being proposed around that corner of the building.

In addition, there were some concerns with regard to spandrel glass that was being used on the building. The applicant has addressed this in a couple of ways. They've reiterated the fact that they'd like to keep is this dark interior. However, they have added windows, real clear glass windows, on the east side of the building. In the other areas where they either did not want the real windows in a kitchen or storeroom or wanted to keep out light from a particular area of the restaurant, they have proposed this brick banding in a rectangular pattern to resemble the windows. Then they also have the hard canopy that still extends around the building as well and bisects these rectangular areas as if they were windows.

Staff is recommending approval of this application, and we'll be happy to answer any questions.

Vice-Chair Munson: On the illustrations that were sent in the packet, which is which? Which corner is this? Which corner is this? Can you help us out on that?

Mr. Klein: These are the previous elevations of the restaurant, so you can kind of compare as far as what they've changed. This is the driveway that I was talking about previously off of 119th Street. So 119th Street would be running just outside along this façade right here, and then this would be the driveway into the One Nineteen development. Here's the service door that they originally had. This is the elevation that you pointed to, which would be on the north elevation. This would be facing 119th Street. Before they showed this glass window shown right here. That's actually now a brick pattern that is located there to replicate a design element in place of the window. They still have the hard canopy going around that corner of the building, and it still bisects that brick pattern that they have with basically the same kind of dimensions as the window itself.

This is the east elevation of the building. Again, here they're showing windows. Now the applicant has shown they've added real windows on this east elevation, so those are clear glass windows that they've provided. This is the other elevation that they provided. This one is actually showing the south, which is this elevation right here, which has a patio that is located on the south end of it. There are a number of clear glass windows located at this location as well, and these will open up to provide access into the patio area here. The patio is surrounded by this low stone wall that circumscribes the patio itself.

This other elevation along here is where that main entrance is located and is on the west elevation, so it is facing toward the Crate and Barrel building that's located here. On the new plans that you have, these again are the rectangular brick patterns. They're not the spandrel glass anymore. Their solution is to have the brick pattern there. Again, they wanted to keep the restaurant dark in that area, so they didn't want any light infiltrated.

Vice-Chair Munson: Okay, very good. Questions for staff?

Comm. Roberson: You did mention in your staff comments that the materials and colors are not currently approved for this development.

Mr. Klein: Correct.

Comm. Roberson: Yet you're in agreement with what they're doing?

Mr. Klein: Basically what would happen is if the Planning Commission approved these elevations, they would be added to the design guidelines for the development for One Nineteen as a whole. The stone that they're proposing, which again was an issue the last

time staff was recommending real stone, was a cultured stone. Neither of those is really a part of the design guidelines currently. There is some stone that is located within a spine that goes along Crate and Barrel that runs through the center of the store and then is exposed on one side. That's really the only stone that's located within the development. Some of the colors and everything are a little bit different than the design guidelines. They're in the same general color shades and that kind of thing but still not the exact same ones.

Comm. Conrad: Mark, we're beginning to see more and more blade signs being proposed on buildings, which I think is a lot of the times in signage. I guess number one, at some point I think it would be great if we had a work session. Do we need to address blade signs in our ordinances, or are they addressed?

Mr. Klein: Blade signs are something that we haven't typically seen here except for the Ted's Montana Grill, which was the first one that was really prominent. We've primarily seen the blade signs as identification in a colonnade shopping center such as Town Center Plaza. When you're walking under the colonnade, you can't see the sign that's up on the portico or the colonnade above, so you have a blade sign that will identify that store front in order to know which business you're entering. Blade signs are tending to become a little bit more popular. It's something that we could probably tighten down.

Comm. Conrad: I guess the specific issue I see is that one could argue there are six signs instead of three signs, being two-sided on the blade, but my real question as we addressed these earlier, should two of them be visible prominently from any direction?

Mr. Klein: The Leawood Development Ordinance allows two signs per building, and I think that's the way that staff looked at this. With the third sign, generally in a lot of the developments it's allowed if it faces the interior of the development. It's what we've done on a lot of the signs that we've had coming through.

Comm. Conrad: If I understand, and I guess the applicant could address it, but there are two facing the interior and one on the north elevation, so there are three.

Mr. Klein: Right. I think there are three total. There's one on the north, the east and the west façades of the building. They're all pretty much the same. Maybe the applicant, when he gets up, he can show more as far as the location of those.

Comm. Williams: You talked about the glass in these windows being real glass, clear glass, being able to see out through them. Looking at the entry element that has glass and aluminum framing, I'm seeing two different notes. I'm seeing clear glass on some of it and then what's noted as insulated on some of it. Do we know for sure what we're supposed to be getting, what we're going to see?

Mr. Klein: That's probably a question for the applicant. I imagine part of the insulated glass may be where you have architectural elements.

Comm. Williams: Going to the sign for just a moment, when I look at the signage, two of the signs have what I'm going to say appear to be very good placement that fits nicely with the architecture. Then the third sign just seems like it's stuck on there. In that regard, I have a problem with the third sign, that being on the east side of the building. The one on the north side along 119th Street is on that stone element. It's a nice fit. Likewise at the entry on the southwest corner it seems to be a nice fit. The other one doesn't. Maybe the applicant can address that when he speaks with us. I think that's all the questions I have at the moment.

Vice-Chair Munson: Is the applicant in the building?

Applicant's presentation:

Brent Allison, Sullivan's Steakhouse, 224 E. Douglas, Wichita, KS, appeared before the Planning Commission and made the following comments:

Mr. Allison: I'm here tonight to address any questions or concerns regarding this proposal.

Comm. Conrad: I'd like to start by saying I appreciate your addressing some of the issues we had last time and especially that entry door into that utility room, finding the space on the interior to build in to get the access to it, so thank you for that. I guess my question is kind of a justification, if you will. I agree with Commissioner Williams that the east sign seems to be on a surface that just kind of was stuck on. I think with the sign on the north, the identification of the building would be quite clear, and I think that's my question. Is there a possibility to eliminate the east sign?

Mr. Allison: The problem we've got with our location here, we're going to get a lot of traffic from that end of the development. With the other two signs along the north elevation and the east elevation, we have no identification from traffic approaching that side of the building without that sign.

Comm. Conrad: They're approaching that side of the building from where?

Mr. Allison: Coming up from the east from Tomahawk Drive.

Comm. Conrad: So coming up Tomahawk Drive they're not going to see the sign on the north side of your building, the blade sign that's on the stone work?

Mr. Allison: Well, the access off of Tomahawk Drive that comes into the development from the east.

Comm. Conrad: Oh off Tomahawk. Okay. But you're saying they're going to see that sign. They won't be able to see this sign on the west side. Okay. Could you not then relocate the sign on the west side to be on the south side of that tower?

Mr. Allison: We typically like to have the sign over the entrance.

Comm. Conrad: Okay.

Mr. Allison: That's our reasoning for that. We do have a flat panel sign that mounts flat on the building that is not a projecting blade sign. It's in a horizontal script. That's an option that we're willing to pursue, too. We like the blade sign. That's kind of our trademark. It's kind of our common look.

Comm. Conrad: I like the sign. As I go 360 degrees around the building, I just felt that the one on the north and the one on the southwest would identify. I just wanted to know the reason behind it, the one on the east.

Comm. Williams: On that east sign, to follow your description, you're trying to get identification to traffic that's coming in from Tomahawk Creek Parkway. Since they're going to be into the development, and there's going to be a building eventually across the street, would it not be better to have it more to the south side of the building which would be more visible to that traffic versus at the north end, which is actually coming off of 119th Street?

Mr. Allison: You're saying putting it down at this other end?

Comm. Williams: Yeah.

Mr. Allison: That's a possibility. In fact, it would probably get better visibility to someone turning in. That way they're focused more on the distance rather than right up on the side of the building as they're turning in. I'm not objectionable to that.

Comm. Williams: I think from the 119th Street side, that from a signage perspective it seems a little less cluttered as well. This sign as I see it is very much more visible and maybe geared to the traffic off 119th Street than it would be from somewhere south in the development. I think in that regard I'd be more supportive of the third sign if it was back to the south side.

Mr. Allison: Okay, yeah, absolutely. I tend to agree with you.

Comm. Williams: Could you address – I'm going to use the term tower, because it sort of looks like a tower even though it's not real tall here – your entry element and the question of what's on the drawings as clear glass and insulated glass in different places. Do we actually have clear glass?

Mr. Allison: Yeah, it's clear glass, but it's going to be a double thickness, insulated panel just like you'd have in your house.

Comm. Williams: Okay, so we're not talking a spandrel panel in any of these locations?

Mr. Allison: No, no, no. It's clear glass. It's see-through.

Comm. Williams: Very good. No further questions in that regard. So that space is going to be roughly two stories, story and a half?

Mr. Allison: Yeah, story and a half roughly.

Comm. Williams: Okay, that should be nice. Thank you.

Vice-Chair Munson: You have a restaurant like this? Where is it, in Springfield?

Mr. Allison: We've got one in Branson.

Vice-Chair Munson: Branson. Okay. The one in Branson, is it a standalone like this one kind of is, or is it amongst other restaurants?

Mr. Allison: No, it's in a mixed-use development on the Branson Landing.

Vice-Chair Munson: Where I'm going with this is, is this restaurant one that would be considered a destination restaurant, or one that you're driving down the street and say, oh Sullivan's, and you pull into the restaurant.

Mr. Allison: No, this is more of a destination restaurant. It's valet parking.

Vice-Chair Munson: So your signage, while okay, but it's probably going to be a situation where people say, let's go to that restaurant just east of Crate and Barrel. Because that development that Crate and Barrel sits in is going to be kind of unique from the standpoint of its identification, so the signage that you have can be probably a little more conservative or whatever than what you've shown so far if you think about it. I'm just offering that as an observation of what's likely to go on there. Any other questions for the applicant? Okay, thank you. Commissioners, your pleasure.

Comm. Williams: I'd just bring up the signage question again and the comments and discussion we just had with the applicant about possibly moving the third sign to the south end of that façade. It seemed to me they'd serve their purpose better and still provide them identification from that end of the development.

Vice-Chair Munson: Do the other commissioners share that suggestion Commissioner Williams made about moving the sign? Give me specific as to the location.

Comm. Williams: Well short of giving a precise location in terms of dimensions, if I'm looking at the east elevation, I would say to the south end of the wall roughly. This gets to be the architect in me, but there's a center line with the tower which is actually the center of the sign that's on the west side. Have it match that line on the east. Architects would see that in the drawings.

Mr. Allison: Yeah, we can do that.

Vice-Chair Munson: Does that need to be in the recommendations?

Comm. Williams: It would need to be added to the stipulations.

Vice-Chair Munson: Added to the stipulations? Okay. Also in the stipulations, I don't see anything concerning the glass and all that. Does that need to be in there also, the opaque glass that was the big issue? Is that in there?

Mr. Klein: Actually it's not in there, because it would change the elevations to eliminate the spandrel glass.

Mr. Allison: We do still have the translucent glass above that canopy, because that is actually in the ceiling cavity of the space. The windows below the canopy, the metal canopy, are functioning windows.

Comm. Williams: Is the glass then the same color?

Mr. Allison: Yeah, it's going to be frosted.

Comm. Williams: When you say frosted, is it going to come off looking frosted white, frosted green?

Mr. Allison: It's going to have kind of a green cast to it. I think we're required to use the green glass.

Comm. Williams: Do you have a sample of that here? Is that on the sample board? My concern would be that the glass, even though it has a panel behind it and referred to spandrel glass, that it looks the same. In that regard, Mr. Chair, I guess I wouldn't have as much problem with the glass panels above the canopies being the spandrel glass, and the glass below being the clear glass in the color that's been presented. I don't think you'll really see that much of it.

Vice-Chair Munson: Any other questions of the applicant? Thank you.

Mr. Allison: One concern we do have still unresolved is with the issue of the cultured stone. I know staff is recommending...

Vice-Chair Munson: Staff recommendation is use native stone?

Mr. Klein: Real stone, correct. That's actually in the stipulations.

Comm. Williams: Number nine?

Mr. Klein: Correct.

Mr. Allison: I actually brought a sample of the cultured stone with me tonight. As you can see it is a rather substantial product. It will be a fully adhered, fully grouted, tooled joint between the stones. There is quite a bit of this product used within the other developments around this. I think your concerns the last time was the issue of the stones basically falling off the building. That is a maintenance issue, an installation and maintenance issue that we would certainly address should it ever come to that. We certainly don't want to...

Vice-Chair Munson: Natural stone won't fall off a building, correct?

Mr. Allison: I'm sorry?

Vice-Chair Munson: Natural stone won't fall off the building.

Mr. Allison: Anything's possible. It's all in the application and installation.

Vice-Chair Munson: Okay, staff, why the recommendation for natural stone?

Mr. Klein: We've stated this with other developments, and there are a number of reasons. One, we've had problems with cultured stone before even though it was very nice looking, and everything we have had say it was installation problems where it has fallen off the buildings. Even though we've had applicants up here stating that it's just an application problem, we keep on seeing the same installation problems, so we're not exactly sure why it's occurring on more than one development. Two is the fact that in areas of wear, in talking with both people who sell cultured stone as well as some developers, they've indicated that it might not wear well, especially lower down on the building where you have people who might bump it or rub it. We have seen cases where it has been broken off, and the cultured stone that we've seen, although they indicated it was colored through, it's actually kind of a gray and did not look like the buff color, a variation in color, on the inside. Three is just the overall quality of the natural stone. This has been proposed as a very high-end development, and we're trying to maintain that character of the development.

Comm. Conrad: So the real stone would be a stacked?

Mr. Allison: Yeah, it's an ashlar pattern.

Comm. Conrad: Real stone would not be adhered? Is that correct?

Mr. Allison: Correct. Real stone is tied to the building with brick ties and so on.

Comm. Conrad: Just laid up like brick.

Mr. Allison: Right.

Vice-Chair Munson: Any other questions or comments for the applicant? All right, commissioners, your pleasure.

Comm. Jackson: I think staff has consistently been in favor of the natural stone and has consistently seen problems with the other. I'm very supportive of maintaining stipulation nine.

Vice-Chair Munson: Okay, I'd like to entertain a motion.

Motion to approve Case 90-07 with the addition of Stipulation 33 along with staff's stipulations 1-32, was made by Williams and seconded by Jackson. Motion approved unanimously.

NEW BUSINESS:

CASE 115-07 VILLAGE OF SEVILLE, PHASE II, BLDG OP-2 – Request for final site plan, located at 133rd Street and State Line Road.

Staff presentation:

Mr. Klein: This is case 115-07, Village of Seville revised sign criteria. The applicant is requesting approval of a final plan to modify the sign criteria for the Village of Seville development. In this application, the applicant is requesting two things. One is to change the maximum size of the average letter height of the signage that's allowed within the development, and I've called out those changes in a table on page 2. Basically they have these broken down into a small tenant, which is 0 to 4,999 square feet; a large shop tenant, which is 5,000 to 9,999 square feet; and a sub-major and major tenant, which is 10,000 square feet and above. Currently approved for a small tenant is an 18-inch average letter height. The average letter height is taken by taking the largest

letter in the line and then the smallest letter in the line and dividing by two. The applicant is requesting to go from 18 inches to 24 inches in that case. That's for a single line of text. The maximum height for multi-line text would go from 26 inches to 32 inches. For a large shop tenant, which is 5,000 to 9,999 square feet, for a single line of text they are proposing to go from an average letter height of 24 inches to 30 inches and for the height of a multi-lined sign from 30 inches to 38 inches. For a sub-major and major tenant, which is 10,000 square feet and above, they're proposing that the average letter height go from 24 inches to 36 inches and for the height of the multi-line sign to go from 34 inches to 44 inches. Staff is in agreement with those changes and is recommending approval of those changes with the exception of the one for the sub-major, major tenant. Instead of going to the 36 inches, staff is recommending the average letter height for a single line be 34, and instead of having the height of the multi-line sign being 44, staff is recommending 42.

In addition to that, the applicant is also requesting a change that would allow a sign component where they would construct a pergola in front of a storefront. The applicant has indicated that with this development, as you're going down State Line, especially going from north to south, the way the development jogs in and out you have some tenant spaces that are hidden by a tower element or feature that projects a little more from the main center. Therefore, people aren't able to see that tenant space as they're heading south on State Line Road. They are requesting approval to create these pergolas that would be out in front of these spaces, and then the signage would be located on top of these pergolas. There is a sign or an example that they're proposing that I've included within your packet. There is also a photograph that they've taken of the development that shows how the center projects in and out. Staff is not supportive of that part of the request. I'll be happy to answer any questions.

Vice-Chair Munson: A question I have is, the application cites Sprint as one who's asking for a larger sign. Is Sprint a small shop, large shop or sub-major, major tenant?

Mr. Klein: Sprint is a small tenant.

Vice-Chair Munson: A small tenant.

Mr. Klein: Correct. Basically they more or less initiated this application. Initially they felt that it didn't have enough visibility being at the 18-inch average letter height. They're proposing a sign that has an average letter height for just the Sprint characters of about 21 inches. They also had a 36-inch logo, which is that pin that kind of looks like it's falling down, that's yellow. In fact, there's one right across the street. That didn't meet the current ordinance, so the modifications that they're proposing for the sign criteria for tonight would take care of the Sprint lettering. It would allow an average of 24-inch height. They have a 21-inch height right now, so that would be allowed under the changes that they're proposing. As far as the 36-inch logo that's on there, that actually still would not be allowed even with the proposed changes that they have. The reason for that is to have a little bit of creativity. This development allows a 25 percent increase to the average character height for a logo, so the logo can be a little bit larger. In fact, in your packets there is a copy of the sign criteria, and you can see they have, for instance, Smart Cookies, and it has a little gingerbread man. Then they have one with a teacup showing how they allow the logo to get a little bit larger. However, the idea is to keep that in proportion with the sign. With the 25 percent increase for an average 24-inch letter height, it would allow a maximum of a 30-inch logo. They are 36 inches at this point, so what would happen with this application, if it was approved, the Sprint sign would have to come in conformance. The Sprint characters would be in conformance; however the Sprint logo would have to be reduced down.

Scott Lambers: So the Sprint sign currently up now is 21 inches?

Mr. Klein: Correct.

Scott Lambers: Is that what you're saying?

Mr. Klein: It's been put up on a temporary basis pending the outcome of this case.

Scott Lambers: They want a bigger sign?

Mr. Klein: They are requesting the sign that's up currently.

Comm. Jackson: But that logo that's up right now is too large?

Mr. Klein: Right, that logo wouldn't meet the current criteria, and the logo for Sprint, it's kind of peaked at the top. It's peaked at the bottom. Part of the concern for staff is that you basically have sign areas where they're either a sign ban or you have the architecture that defines limits to the signage. If it gets too big, you start pushing off outside of those areas. Also, the logo itself could make a big difference. This one has this pin falling, so it's peaked at the top and the bottom. However, if you have one that was maybe the shape of a buckle or something like that, then it would be more of a big box, so there's a lot of variation that you can have. The 25 percent increase, I think, is good in the fact that it allows a little bit of design freedom, but it also makes sure that it stays in proportion to the rest of the sign.

Comm. Jackson: Increasing that sign to 21 inches, that doesn't violate any of the ordinances, correct?

Mr. Klein: Right now it doesn't meet the one that's currently approved, because with the small tenant the maximum average letter height is 18. They're 21, so they exceed that. With the current ordinance, if this was not to be approved, then they would have to take down that sign, the entire thing, because none of it would meet the current criteria. However, if this criteria was approved, the Sprint letters would be able to stay. It would just be the logo that would be affected.

Comm. Jackson: Is it an ordinance?

Mr. Klein: I'm sorry, sign criteria for the development, Village of Seville, that was approved.

Comm. Jackson: But this increasing doesn't violate any of Leawood's ordinances?

Mr. Klein: No, no, no.

Comm. Jackson: Once those outer buildings are up, are they going to hide a lot of this signage, too?

Mr. Klein: I think there's a good chance. Of course, as you get the pad sites around along the road, a lot of that will be screened especially if you have trees within the islands, which we require. It will probably be a lot more difficult, which is part of the reason why staff isn't as supportive of those pergolas out there with the signage on them, because there's a good chance that unless you're right within the development and driving down in front of it, you wouldn't see them anyway.

Vice-Chair Munson: Is everyone on the commission familiar with this particular development? Have you seen it? Have you looked at it? Okay, the applicant?

Applicant's presentation:

Henry Klover, Klover Architects, 10955 Lowell, Overland Park, KS, appeared before the Planning Commission and made the following comments

Mr. Klover: Mark said most of it very distinctly. It was initiated by Sprint, and when we initially created the sign criteria we didn't take into consideration what you might call ascenders and descenders. That's the lower case letters, the P that drops below the line and the T's that go up. So when they first got into it and looked at the smaller sign, obviously the body of the letter was going to be nothing more than about this big at that height restriction. We didn't necessarily take exception to it, and we have proportionally revised the criteria. We take no exception to the comments from the staff; however I do want to point out that the request to change the 36 to 34 actually is not in compliance with what you've already approved. The reason we made that sign 36 is that's the size of the sign. If you remember, I brought the board and I had the three different sizes on it, and you picked the middle one specifically. That was a 36-inch sign.

Vice-Chair Munson: Can I see that again?

Mr. Klover: You want to see it again? It's actually over there. I brought it. What we were doing is keeping consistent, so we've looked at the size of the Sprint and said what it could be to be realistic and look at the size and quantities. Then we said, okay the topside. You've already approved the 36, so we just proportionately filled in the blank between it. Don't necessarily take exception to that, because that's probably actually the only large tenant we'll have on the project, the one that exists already, and it is 36. If they were to ever go out, that may be an issue. I'll leave that up to your decision.

The primary reason we also did not increase the logo sign to be 36 inches for Sprint, and it was a discussion I even had with Mark, was because it's the mass of the logo that really counts. The Sprint logo is basically a big fan that's got two points. The mass of it is not that much, so I'd also leave it up to you tonight if you want to say it can stay. I do have the drawing of it as well, how it works. They have agreed to comply with the criteria we establish. The primary reason we didn't want to change the criteria to make it any larger was because, as Mark said, we were afraid of somebody coming in with something that was big and bulky, and it wouldn't fit. The criteria does also have a provision that the signs have to fit within the architectural letters that are being established, so obviously if they get too big or that sort of thing, we have the ability, as well as Mark, to reject it.

The issue of the pergola, as Mark said, that was something we came up with quickly. The tenants that have been looking at that area, it's clearly not by everyone. We're really only looking to do something in one place, which is right adjacent to the existing or currently being built Office Max. Office Max came after the fact. That building was actually built and Office Max came a little bit further forward in the final plan, so it created a much deeper area. The tenants are all balking at it, so obviously they came to us, and we quickly did something and showed it to them. Since I was going to be before you, I sent it to Mark, and thought if nothing else we'd be able to have a discussion about what he would like to see or not see. It is an issue that we need to do something, because the tenants won't go in that one location. It's the one location immediately to the south of Office Max that's going in, and I can show you the two different pictures of it. This is the issue right here. That's the tower of the Office Max as you come by, and the red awning you see is actually the second tenant space. It's that area inside that they're having trouble with. The other locations are not really an issue. It's just that one, so we were tasked with the idea of coming up with something. This is just

something I handed to one of my guys and said put something out there. Then it's kind of turned to now I'm in front of you. Didn't really expect to be, but Mark wasn't really too excited about it, so I've really asked to get some guidance from you as to what you might want to expect. Really what they were talking to was having like a little sandwich shop or something there that we might create an outdoor area. It is a fairly deep area. You can see that tower is probably about close to 20 feet in width, so it's a fairly deep area. We could do a different variety of things. Obviously we want it to be some type of freestanding structure that might provide some shade or something like that. We need to do something, because none of them will lease it because they can't be seen from the east and from the north until you're almost past it. I would obviously not ask you for approval of it tonight but some guidance of what you might expect that we should go back and work on. That's the discussion points.

Comm. Conrad: You said the Office Max got bigger?

Mr. Klover: It came farther forward than the original design if I remember right. Initially it was one big long...if you remember actually that whole canopy, everything got built before this building even came along, because we had to build that building first.

Comm. Conrad: So the rendering that shows the pergola is from more of the south?

Mr. Klover: It's looking to the north.

Comm. Conrad: To the north. The one you showed before was looking to the south.

Mr. Klover: Yes sir.

Comm. Conrad: So it's a directional obscurity, if you will.

Mr. Klover: Yes. You'll always be fine to be able to see it if you're looking to the north from the south, but the issue the tenants are having is if somebody's coming down the street or they turn in, they can't even see them until they're on top of them.

Vice-Chair Munson: How many tenants are involved?

Mr. Klover: Only one. It's one tenant, one space. Now if we get lucky and somebody decides to take both of them, we don't need it, but the issue at hand is I've talked to a couple of people for that corner, and they won't take it.

Comm. Roberson: If you've got a bank on one corner and fast food shops along the State Line Road there, they're not going to see anything anyway, are they? Coming down State Line from north to south?

Mr. Klover: I'm not sure I'd get into a debate on that. The reality of it is that if they feel they can't be seen, it's perception of reality. Eventually they will want people to be able to be in the parking lot and know that they're there.

Comm. Roberson: That I don't have a problem with. Traveling along State Line, they're not going to see anything back there.

Mr. Klover: Not a lot, no.

Comm. Roberson: Except the taller building, Office Max, whatever may be back there that they will see.

Vice-Chair Munson: A couple of editorial comments. First of all, congratulations on the appearance of the development. It's very nice, much, much better than what's on the other side of State Line.

Mr. Klover: Oh come on, that was no competition.

Comm. Williams: That may be unfair.

Vice-Chair Munson: Did you do the east side of State Line also?

Mr. Klover: No sir.

Vice-Chair Munson: These buildings, I'm very pleased with them myself personally. The other thing I was going to say is that I'm 75 years old and have macular degeneration. No problem at all seeing that Sprint sign, none at all from State Line.

Mr. Klover: The one on State Line?

Vice-Chair Munson: Not at all.

Mr. Klover: Well it's the bigger version. It's not the smaller version.

Vice-Chair Munson: What they say in here about visibility from State Line, to me, I can see it with my glasses off. Okay, anybody else?

Comm. Williams: I will offer a comment about the trellis or pergola. What with the quick presentation, maybe that's not quite the right thing, but I think the idea of something along that line that draws you into that space from the street with some subtle signage. I would not want to see a 24-inch letter on the top of a trellis indicating a deli or whatever it happens to be, but something subtle, small scale that provides some subtle identification out there so it's just not in your face. I think the idea of something of a trellis structure, as you said maybe tied in with some outside dining, would be a real plus for that spot. I think it would be a nice...

Mr. Klover: So you're not necessarily, in concept, against it? It's just work on the details.

Comm. Williams: Yeah.

Mr. Klover: Okay, I'm here for guidance.

Mr. Lambers: I guess the one question I would have, are you okay with the wood feature as opposed to having it more masonry in its presentation so it's more consistent with the materials out there?

Comm. Williams: I don't have a problem with it being lighter in character, whether it be in wood or whether it be metal, as we have some others. The metal itself might not lend itself well with the architectural scheme of the development. I think that's something that Henry has to take a look at. A small amount of masonry may be a basis for the columns. That could be good. It would give a little more scale, a little more detail.

Mr. Klover: Obviously we'd have to look at what fits in the plan and that sort of thing. It was just done to review. They didn't even pull out a plan.

Mr. Lambers: Perhaps something to tie it into the base or something. We had two designs. One was just all wood. Again, as Henry said, this was quick, and I said as long as you're here tonight, let's bring it forward just to get it there.

Mr. Klover: Let's talk about it, yeah.

Mr. Lambers: The concern was the protrusion of the sign, which we've experienced before as being permissible. I don't disagree that for this one area, if there was going to be an allowance for it, it would have to be specifically tied to this one area, to that one tenant period. Any additional tenant, if they're going to change it in any way, shape or form, will have to come back before us.

Mr. Klover: And we may make it as long as we can market it and say yeah, there's the opportunity, but we make it very specific to a specific tenant and what they're doing. That might be the better way to handle it. The goal tonight was to be able to go back to them and say can they even tell a tenant that it's possible.

Comm. Williams: I for one would say yeah, it would be possible.

Mr. Klover: Okay. Thank you.

Vice-Chair Munson: I would ask the commission to move along with this case and entertain a motion.

Motion to approve Case 115-07 was made by Conrad along with staff's five stipulations and seconded by Williams.

Comm. Williams: Could I ask Ken to clarify that you're saying no sign arbor.

Comm. Conrad: I think we're saying no sign arbor. I don't know if we want to put a stipulation that there would be consideration for an amenity, and extension of the building, a pedestrian...

Mr. Lambers: They need to come back with an amendment to their signage for it. That would really not be part of this.

Comm. Williams: But if we say no sign arbor, does that allow them to come back?

Mr. Lambers: They can always come back, yeah. The minutes will reflect. When they come in with an application, we will go through the process. If you're going to say no, then we would just say no. I anticipate when they get a specific tenant that they'll probably be back before you.

Comm. Williams: Well as long as we leave that door open for them, I really think that's fine.

Motion approved unanimously.

CASE 114-07 ONE NINETEEN – WEST ELM STOREFRONT – Request for approval of final site plan, located at 119th Street and Roe Avenue.

Staff presentation:

Mr. Klein: This is Case 114-07. The applicant is requesting approval of a final site plan for a tenant finish within the One Nineteen retail development at the southeast corner of 119th Street and Roe Avenue. This tenant space before you tonight is actually requesting a modification to a tenant finish that you had already seen for the west elm. That one was actually heard by the Planning Commission on June 26, 2007 and approved by the governing body on July 16 of 2007. The differences between that currently approved application and this one are basically two-fold. One is the main entrance into the building. Before it was two sets of double glass doors within the storefront system that was there. Now they've changed to a single set of double doors, and they've added these wood slats. They're actually metal slats that are simulated to look like real wood, and the applicant has indicated that the reason for that is that they are easier to maintain. The other primary change to that application is it really didn't have any signage proposed with it. This application is proposing signage as well. Staff does have some concerns about the amount of signage that is on the building and is recommending that it be limited to either the canopy sign that's located directly above the entrance or the wall sign that's just above that but not both and not the transom sign. They have a transom sign that's located there. They have a blade sign that's located on the front elevation. They have a canopy sign that's located on the hard canopy. They have the wall sign that's located above the canopy. They also have signage on the back of the building as well. I believe it's a furniture store, so they have a pickup area that's on the back of the building. They have a set of service doors that are there with an awning that is over the service doors. On the one that was submitted with your application, there is a sign on the fascia of that awning as well as some lettering on the doors itself indicating that it was for customer pickup. Then they also had a plaque adjacent to the double doors indicating again that this was for customer pickup and also to ring a buzzer that was located at that point.

I also received some additional information, which they sent over yesterday, with regard to a parking sign that would be located on the backside of the building. There's some perpendicular parking that's adjacent to it indicating that it would be 15 minute reserved parking for customer pickup. I'll let the applicant address that a little bit more.

Staff is also looking for comments from the Planning Commission with regard to the storefront itself as far as the look of the wood slats within this development. I'd be happy to answer any questions.

Comm. Jackson: Mark, is that a color picture of the front of the building there?

Mr. Klein: Yeah.

Comm. Jackson: I'm not understanding how those doors come together. Does the wood slat portion of it move?

Mr. Lambers: The reason that this is not on consent is that basically this is one of the few times where we've seen a request for a change and I don't believe the change is really better, but again it's in the eyes of the beholder. If you think it's okay, that's fine, but that's the reason why it's not on consent. We told you in the past that if we did have concerns about a storefront finish, that we would then place it on the regular agenda, so that's why it's here tonight.

Comm. Jackson: So that's the original?

Mr. Lambers: Yes.

Mr. Klein: Here's the original. As you can see, located right here you'd have a storefront system with a hard canopy over it. You have two sets of double doors, and this is the storefront glass that goes in front to match the rest of the building. The proposal before you tonight, basically all this has stayed the same. However if you look, the two double doors are now down into one set of double doors. Right here are some slats that go across and continue up the transom. I included some photographs in your packets that they supplied of what those look like.

Comm. Jackson: That's what has me confused. Is it actually part of the door and it opens? It looks like from the picture in the packet that it opens, that the wood slats are on the part that opens.

Mr. Klein: The applicant might be able to describe it better. It's my understanding the wood slats are kind of on the back side of the door, so they provide that look at the door basically.

Comm. Jackson: Oh the outside of the door would be glass, and as you come in you have these fake wood slats. Then if the doors are shut, they're only on the inside.

Mr. Klein: The applicant's indicated the slats are actually on the outside of the door. I believe they also continue up the transom as well, which is this area right in here, which is where a transom sign is located or proposed as well.

Comm. Conrad: Mark, is the blade sign you mentioned on the front elevation?

Mr. Klein: Yes, the blade sign, I believe, is over in this area. The blade sign is about one and a half feet wide and about four feet tall. The design guidelines for One Nineteen limit the blade signs to a maximum of four square feet and no box signs, and this is kind of a box sign.

Comm. Conrad: Clarification. On the rendering you're showing, you've got two evergreens in pots it looks like. I'm assuming those aren't actually in front of the doors?

Mr. Klein: No, no. This particular one, they're just showing these potted plants in front. These are storefront windows, I believe. The doors are these. There's actually two doors, one here and one here. It's kind of hard to see with the slats going across.

Comm. Conrad: I got it. So the storefront openings are very large openings, and the doors end up having the slats actually on them.

Mr. Klein: Correct.

Comm. Conrad: Got it, okay. That makes more sense. Thank you.

Vice-Chair Munson: Mark, what's the rationale for west elm up on the bulk of the building and then west elm. Apparently this is a canopy?

Mr. Klein: Correct. It's a hard canopy but extends outward. A hard canopy is used on other parts. In fact, you can see it over here on this storefront as well. You would have to ask the applicant there. I would imagine visibility.

Vice-Chair Munson: Is the applicant in the house? Please come forward.

Applicant's presentation:

Michelle Gillern, McCall Design Group, 550 Kearney, San Francisco, CA, appeared before the Planning Commission and made the following comments:

Ms.: We're on behalf of the west elm brand for Williams-Sonoma, Inc.

Rachelle Luym, McCall Design Group, 550 Kearney, San Francisco, CA, appeared before the Planning Commission and made the following comments:

Ms. Gillern: We do have some brand books that might further explain those teak slats on the doors if you'd like to see those. They can pass a few around.

Vice-Chair Munson: You might start with identifying what West Elm is, what it's all about.

Ms. Gillern: Absolutely. West Elm is a fresh, modern, high quality furniture brand of Williams-Sonoma, Inc. It's an emerging brand. It started out as a catalog brand, and now I think they've got about 50 stores nationwide. Typically they are going into shopping centers with some of these signature storefront elements, the teak slats, the protruding sign out of the teak slats. This is kind of a rare instance that we're using the base building architecture and trying to apply our components of the storefront system to that without modifying the base building. Typically we would go in and modify it to our signature storefront elements.

Comm. Roberson: Just a quick question. I lost count, but I think there's at least 10 signs, if not more, on this store. Is there a reason why you need to have 10 west elm signs or 11 or 12 or whatever it is on a storefront?

Ms. Gillern: I believe the blade sign and the transom sign are in conformance with the criteria of the shopping center. The building sign is slightly larger size, but it's also in conformance. I think at this point we probably would concede to removing the canopy sign due to structural attachments and stuff like that, but the rear of the building is sort of our customer pickup. Being furniture and stuff, it is important that not only are they thinking that's a loading area, but it's also where they would be able to pull around and load large furniture items into the car. So it seems like that back façade with no signage, it's a little bit hard to know which space you're in.

Comm. Roberson: I have no problem with sign on the back. I lost count, not counting the front, the number of west elms.

Ms. Gillern: The window logos as well I guess you're referring to, correct?

Comm. Roberson: Oh yes.

Ms. Gillern: That actually is just relating to the pedestrian level versus people driving in off of 119th. So you're looking at any display window with some furniture and lifestyle setups and seeing the west elm logo.

Comm. Roberson: I guess I'll ask staff. Do we count those as signs?

Mr. Klein: Staff is not supportive of those little logos or little signs that are added on every single pane.

Comm. Roberson: But you would count them as?

Mr. Klein: I would consider them signage. There isn't really anything in the development ordinance addressing applied signs, window signs, other than a maximum of five percent of the window area. However, staff's opinion is you're walking down and you're looking at the west elm or whatever tenant there is, that there is a blade sign that's there to identify their space. It just seemed like the signage was repeating itself. You had all the ones along the bottom of the window panes. You had the one on the canopy. You had the one on the wall. You had the blade sign. We're trying to keep this very simple. It's not supposed to be advertise as much as you can possibility get. Obviously they need some identification, but again this is a destination development.

Comm. Jackson: Are those the blade signs? There's the window door, there's two windows and then there's something on the other side.

Ms Gillern: Those are the landlord sconces, the base building lighting sconces.

Comm. Jackson: So then where are the blade signs?

Mr. Lambers: On the right hand side. It says internally illuminated blade sign.

Comm. Jackson: Can you put it on a picture and point it out to us? On the far right of the building as you're looking at it?

Mr. Lambers: Correct.

Comm. Jackson: So again, staff, you're supportive of a blade sign and the larger West Elm.

Mr. Klein: We're supportive of one of the signs, either the canopy or the other one. They both fall within the sign criteria for the development. The blade sign, however, is actually larger than what's allowed by the sign criteria and also of a different construction type than what's allowed. So staff is supportive of a blade sign but not supportive of the blade sign as proposed.

Comm. Jackson: How did you make the stipulations then?

Mr. Klein: The stipulation states that one blade sign a maximum of four square feet with a maximum of six inch letters. This blade sign shall not be of a box sign. Actually it should be probably a box sign construction.

Comm. Jackson: Do we need to add a stipulation saying specifically that the west elm's on each of the window displays is not allowed, since you're not certain whether that's covered in the ordinances or not?

Mr. Klein: Right. Actually I included on C, the very last line of number 2C, as no other signage is approved with this application including the decals on the storefront windows. Basically staff is recommending that for the signage, either one façade/marquee or one canopy/marquee. That was either the wall sign or the canopy sign in lieu be allowed. The letter height of the sign shall be a maximum of 24-inch letters, which it is and which meets the sign criteria. One blade sign a maximum of four square feet with a maximum of 6 inch letters, not to be of box sign construction. That's actually right out of the design guidelines for One Nineteen, so that's just to ensure that they meet that. I could've just as easily written, must comply with the sign criteria of One Nineteen. Then to address the back, one of the following: a painted sign on the fascia of the awning that extends over the double service doors on the back side of the building. This sign reads "West Elm customer pickup" or vinyl applied lettering. Either have the signage on the doors themselves or have the signage on the canopy it was over is what staff is proposing for the backside of the building. Then the last line was to clarify that the little decals going along each one of the window panes would not be allowed.

Comm. Conrad: So with that description, there would be no wall signage as they're proposing?

Mr. Klein: There would be one wall sign on the front.

Comm. Conrad: I'm sorry, on the rear.

Mr. Klein: Oh, as far as on the backside? No, it would just be the canopy. There really hasn't been any wall signage approved with this development facing Tomahawk Creek Parkway. The concern is if we went down that road, then every single one of the tenants would want some identification along there. There's that large retaining wall that goes along there. There's a service drive that goes along there, and there's supposed to be screening of that service drive pretty heavily with evergreens and other types of vegetation, because they will have delivery trucks and that kind of thing. To screen the back of the building, which is a little bit more plain, that was some of what was approved to meet some of the concerns with the overall main center. I'm not sure that you should really be able to see a whole lot of signage along there anyway, but that's the reason why staff isn't recommending approval of any wall signage along there.

Comm. Conrad: It would seem that a blade sign might be appropriate on the back side as you're driving along that access road, the back service drive.

Mr. Klein: This is definitely a different situation. If you allowed all the rest of the tenants to also have a blade sign, most of them probably are not going to have a customer pickup or anything like that. That will be their service door, so if you did go down that road, you probably would want to limit it.

Vice-Chair Munson: Well the delivery trucks themselves will want to be able to find different merchants, right?

Mr. Klein: Yeah, that's true. Typically we have the address on the service door on the back is how they find which one they're supposed to deliver to. I think in the past that we've always considered them looking for the address, that they deliver to the address on the back of those doors.

Comm. Conrad: The name on the glass, is that adhered letters or is what?

Ms. Gillern: It's a vinyl window logo applied from the back side.

Comm. Conrad: Mark, sometimes we've addressed some logo and signage on windows, but haven't we looked for it to be something that's not adhered? It's certainly a little more expensive, but maybe etched glass.

Mr. Klein: As far as a little more major the signs, we've tended to want more etched glass or something like that, definitely not vinyl decals. This is what I'd consider more of a vinyl decal that's along there. I guess from staff's opinion it was just extra. It was just added beyond as far as the identity.

Comm. Williams: It's added, but both in size of the letter as well as the size of the logo, it's fairly small.

Mr. Klein: It is fairly small. I guess in staff's opinion, it's just repeated. It just seems like, again, it was a lot of signage. That was staff's opinion.

Comm. Williams: I guess when I look at this and compare it to other retail centers, maybe the one that sticks out most in my mind is the plaza. It's fairly common to see a store's name in a limited vinyl applied letter on the glass. It doesn't scream at you, and I think especially if they're going to have display windows similar to what's in these picture packages, to me it seems like it's just going to virtually go away. In that respect, I'm not sure what value it serves them, but at the same token, I don't see it being something that's going to scream at a pedestrian walking by and certainly not be intrusive to the building, nothing like the signage on the canopy area and the double signs and all of that.

Mr. Klein: Sure. I do understand your point, and there are storefronts over at Town Center Plaza that have them as well, but that was prior to us really looking at the signage with that development on an individual tenant-by-tenant basis. The other concern is that you get each one of the tenants, and it's like you said, a lot of the tenants have them. You might have West Elm here, Z Gallery at the next one, another one.

Comm. Williams: But if they keep it small, what's the intrusion into the public viewing scape? I don't see that as a problem. That's my personal opinion.

Vice-Chair Munson: We don't have any criteria right now to address that issue, right?

Mr. Klein: The only thing that the ordinance says is that you can have a maximum of five percent of the window area can be signage. That includes temporary signage or any signage that's within there.

Comm. Williams: So if it's five percent?

Mr. Klein: These are not five percent. I'm not making that argument.

Comm. Williams: We're talking fraction of a percent.

Mr. Klein: Sure. I guess from staff's point of view it just seemed like it's just a way for multiple signs, like on drive-thrus with directional signage. A lot of times in the past we've limited them to having no name on the signage. For instance, Commerce Bank was initially proposing a world logo that went on each of the directional signs. At that time, the Planning Commission indicated that the directional signs were there to provide direction to traffic, not to provide additional advertising. Solutions Bank wanted the same thing. They were on the consent agenda tonight. However, there was a stipulation in there that they remove the signage and the logo and just keep it to the directional signage that's meant to be.

Comm. Williams: I have a question for the applicant if I may. In the pictures that you provided, the West Elm lettering that's on the glass, that would appear to be larger than the six inch that you're proposing for this location.

Ms. Gillern: I'm sorry, which?

Comm. Williams: I guess I'm looking at this picture. There's West Elm.

Ms. Gilner: Those are larger.

Comm. Williams: Do you happen to know offhand what the size of that lettering might be?

Ms. Gillern: Ours are six. I don't know what that store is in particular.

Comm. Williams: If I had to venture a guess, I would say that the T's and L's are every bit of eight and nine inches high. I don't see these as being that bad. We're talking lettering that's even smaller, and I think the placement of the lettering on this storefront is also a little less intrusive. This is centered on the glass, and if I'm reading this right, one side is a little more off to the side. One more question if I may. Getting off the signage for a minute and going to the slats on the doors. The slats on the doors are to be wood?

Ms. Gillern: They are actually an aluminum storefront system.

Comm. Williams: Oh, okay.

Comm. Williams: I can see where that would be an improvement. Okay, thank you. You might show that to the other commissioners.

Comm. Conrad: Is that here in final?

Comm. Williams: I have actually done a healthcare facility with simulated wood doors inside with finishes that were like that. You can't even scratch this stuff off with a key. It's incredible. I think that the product they're proposing, in the long-term – we're looking for long-term solutions – would be better than going with real wood that is going to weather and stain and be a maintenance problem. We won't allow simulated stone, and this is going to get more wear and tear than some of the stone is.

Vice-Chair Munson: Anyone else? Okay, thank you. Discussion by commissioners on this issue, on this request.

Comm. Conrad: Well, certainly this is probably the most signage we've seen on any facility, but back to a previous case and introduction of blade signs, the whole concept of signage is certainly changing. I guess I've maybe been on this too long, but we did go through a period of time where reduced signage was something that we wanted to do for, I believe, a lot of good reasons. First of all, a lot of it was just adhered signage that really didn't serve much purpose, and we always tried to focus on this integration into the architecture of the façade. I guess my issue and problem is I have a hard time visualizing in a 2D elevation and not a lot of color how this is going to look from a pedestrian view. Because Len, as you said, on the plaza there's a lot of signage on windows, but I think there's a proportion of sidewalk and the number of people and the color that it does kind of go away. I'm not sure I know how to make an assessment of all of this. Maybe I'm struggling in asking questions of the commissioners, because I do think that it's dangerous to have this much signage, although done well it can probably work. I'm a little concerned about adhering letters to windows. I think that could get pretty tacky.

Comm. Williams: That's where I'm going to take some serious exception, and it's because I've done that a number of times, and it's always had positive results, and my clients have liked it.

Comm. Conrad: Okay. I'm having a hard time seeing still where the blade signs are on the front of the building. It would be as you walk down the sidewalk. With respect to the back of the building, I don't think we should have a wall sign. My thought and suggestion might be maybe that's a good location for a blade sign. It would be the most visible as you drive down there to try to find that location. In summary for myself, I guess I'd like to see a little more three dimensional presentation of it. I don't know if that would help or not help. That's all I have.

Comm. Williams: I'll pick it up from there. I can certainly see the value, Mr. Conrad's asking for a three-dimensional, but with that I'm not sure that in the end it's really going to answer all the questions that may be his concerns. I do share his concern with the overall number of signs. I think the large sign in the back is probably not appropriate. I think the blade sign for traffic purposes, for pickup certainly, is more practical. As one who travels that street twice a day, I do not want to see signs all over the back of that building. Their great wall of Leawood is enough, thank you very much. Going with the vinyl lettering on the glass, the six-inch letters, I've said this before but I'll say it again. I don't think that in the scheme of things that this is going to be intrusive, distracting to the façade. It adds a little bit of store identification, but it's not going to ruin the center. It's not going to ruin, I think, our sign standards overall. When they start putting displays in the windows, as you see in some of the pictures that they give us, some of that signage goes away and even the signage that's in the pictures, which are larger letters and sit higher off of the window sills, those don't look that bad. Again with displays behind it, it's going to mellow out a lot. I think what you're going to see, and I don't know if they've planned to do this, but certainly other retailers do this on a regular basis, is to put big advertising signs in their picture windows screaming Veteran's Day sale or whatever the holiday is, and that in essence does very much the same thing but a little more in your face and grabs your attention, and we have absolutely no control over that. What they do on the inside of their store for signage and sale advertising and stuff, right. We don't have any control on it?

Mr. Lambers: Just with regard to neon, when they try to sneak that by.

Comm. Williams: Well, yeah. So again, I don't have a problem with that. I almost kind of like it. The signage at the canopy, I take the position it's one or the other. It's the wall sign or it's the canopy sign, whichever they want to do. I'm not opposed to the small West Elm sign that's above the door. I think that's actually a little bit of an elegant touch on the metal slat system that they're proposing. And going to that issue, I think the metal slats versus wood slats as it's presented tonight actually is a nice, different, creative application here. I think that with the product they're proposing, it certainly is more limited maintenance, better appearance than what a wood alternative would be in this setting. I'm supportive of keeping it metal.

Comm. Jackson: As far as the signage on the windows, I just think we're getting a little too subjective as to what disappears into the building façade and what doesn't. With Morton's, when they wanted it along the tops of the awnings, we didn't like that, but maybe we like this. I just as soon stick to the original intent and just keep very limited signs. I would support staff's recommendations, except for I would add the blade sign on the back and go ahead and allow that just for the ease of the customers. Otherwise, it would be very difficult to find where they needed to go to pickup. As far as the slats, they're a nice addition. Once I saw the pictures and understood what was going on there, they look very nice.

Mr. Lambers: Before we get too much further, one more sign. This is the one that's proposed to go in the back similar to what you see everywhere for liquor stores and art shows, limited parking signs. I would say that these provide obviously a direction for customers, and I don't think it would be that visible, because they'll be right where people are parking. This is another sign.

Vice-Chair Munson: As opposed to the blade sign or in addition to?

Mr. Lambers: Well obviously this will be at their level to locate it. The blade, as they're approaching they wouldn't see this sign right away. They would recognize this as the directional sign.

Vice-Chair Munson: Scott, where would this sign go? It looks like it's on a pole. Where would they put that?

Comm. Conrad: How many would there be? One, two, three, four?

Comm. Williams: There are parking spaces there on that back side.

Mr. Lambers: Right there. Two, three, four. Four.

Comm. Conrad: So how many signs are there, Scott? Four? For four spaces?

Mr. Lambers: One per parking space. It would be four. I assume then clearly deliveries would be made somewhere else. Anyway, you were going through what you like and didn't like in signs.

Comm. Jackson: As far as the way the stipulations read, are those allowed or not allowed?

Mr. Lambers: They're not permitted, so they'd have to be amended to allow them to go in.

Mr. Klein: Could I ask for some clarification as far as on the blade sign just to make sure that everybody is on the same line as far as what exactly the blade sign consists of. I was picturing it as kind of a blade sign that was pretty close to the double doors, above eye level but definitely not along the top edge of the building. A certain size limitation may be similar to what they have for the overall

development of the four square feet, but not like what Sullivan's had. I just wanted to make sure that everybody was clear as far as what the blade sign was intended.

Comm. Williams: I think that's a good clarification. It shouldn't be at the top of the building. It should be more down towards the door height, the top of the door. So if you see it driving through, you don't see it from the intersection of Roe and Tomahawk.

Comm. Conrad: This blade sign is described as internally lit. Is that like the box signs?

Mr. Klein: Right. Right now it would be considered a box sign, which isn't allowed by the development or by the Leawood Development Ordinance, which is the reason why the stipulation was written as not of a box type.

Comm. Conrad: So not to revisit a prior case too much, but were those box signs? I got the impression those were not box. They were neon script.

Mr. Klein: They had neon going along a portion. The entire face of it wasn't illuminated.

Comm. Williams: If this blade sign on the back is not a box sign, internally lit, they're going to need to have some external light on it?

Mr. Klein: We have allowed, for instance you've seen the bubble signs that have basically the plexi-glass that's on the outside and the entire face is illuminated? That is something the city has not been supportive of at all, but we have allowed the ones that are more of a cabinet style where you maybe have pushed through letters. The bulk of the sign, the face of the sign is not illuminated, but you have pushed through letters that are illuminated. You saw that a lot with the Park Place development. For instance, the parking sign had the P that was pushed through lettering that was illuminated from the outside, so the lettering within the sign was illuminated but not the entire sign face.

Comm. Williams: I got you.

Ms. Gillern: And that's what we're proposing, the teak slats with push-through letters. What we're proposing is a frame with the teak slats and push-through letters. That is what is being proposed for the blade sign, push-through letters.

Mr. Klein: Staff was concerned that the overall sign was illuminated just with the slats going in front and then push-through letters.

Ms. Gillern: No, it's the metal slats again, so it's not where there will be no seepage of light through that. It's just the push-through letters will read the same as the transom sign.

Mr. Klein: Staff wouldn't consider that the type that was prohibited.

Comm. Conrad: Okay.

Comm. Elkins: Just to add my comments, and I guess I'm concerned that we're not really developing much of a consensus here, which is a little unusual for our commission.

Vice-Chair Munson: I get that feeling.

Comm. Elkins: Kind of going through the signs, I am generally in agreement with Commissioner Williams in that I don't see the small letters, signs, whatever you want to call them, in the windows as really that distracting or constituting a violation of some of the principles that we've expressed in the past with respect to signage. I think the blade sign on the front is a necessary part of pedestrian traffic that travels along what eventually will be a long, expanse of shops. As you're walking down there, it's appropriate to give you a heads up that you're getting to this particular tenant's building or particular store. I also agree that either the wall sign or the canopy sign, but not both, are appropriate. I like the sign above the slats. I like the slats a lot, especially the way they show up on the materials board there.

On the back, I'm having a hard time getting it in my mind's eye. I also drive up and down Tomahawk Creek Parkway, but usually I guess from the east to the west, and with that giant wall there, I'm not sure I'm ever going to see any of the signs that are on the building, especially on the western end. I've got to focus on what it's like when I first get on Tomahawk at that particular section, so I'm not too concerned about the signage being bad on what I think is the backside of the building. I'm really more concerned about it being functional, and I think that the blade sign on the back is probably the best way to alert people to where it is they have to come to pick up their furniture. Those are my thoughts on the signs and on the slats.

Vice-Chair Munson: One thing that comes to mind on the stick-on signs on the front, I feel that staff and the commission should develop some guidelines so that we have something to hang onto when we are faced with this kind of a situation, because right now we don't and what's right and what's wrong. It doesn't bother this commissioner. It bothers that commissioner.

Comm. Williams: I agree some standards would be helpful.

Comm. Elkins: Just a question for staff, and I'm again having a hard time picturing this in my mind, but in Town Center what do we have in terms of on the windows as you walk up and down Town Center at Williams-Sonoma or some of the others that are up and down Town Center?

Mr. Klein: Some do, some don't. I know Wet Seal is one of them that I've noticed actually does have those letters. They were probably the first one that I even realized that those letters even existed, and I think at first we were kind of surprised that they were there, because we hadn't seen it before, so all of a sudden they're there, but again at that time we really didn't do individual tenant finishes. Also, I would like a point of clarification, too. I just want to make sure that the blade sign that they're talking about, I think that's fine. I don't think that the stipulation as written would have any effect on that, but they are also larger than what the sign criteria for the One Nineteen development allows, so I know a lot of people are supportive of the blade sign. I just want to make sure are you talking about the blade sign as proposed, or are you talking about the blade sign as meeting the standards? My concern is if it's allowed to be larger than the standard, then the next one who comes in is also going to want to go larger than the standard.

Comm. Williams: How much larger?

Mr. Klein: It's not a huge amount. Basically the maximum allowed by the standard is four square feet. They're one and a half feet wide by four, so I imagine they're probably around six square feet, but again you start getting tenants as they come in and they start pointing to other tenants. Well, they didn't have to go by the consigned guidelines.

Vice-Chair Munson: That's a very good point. In other words, we went to the trouble of reviewing and approving the developer's tenant finish guidelines. We expect the applicants and the people to come in with that in mind as opposed to modifying it upward.

Mr. Lambers: You're correct. It's up to the developer to say no, and they're just throwing it to us.

Vice-Chair Munson: I'm sorry?

Mr. Lambers: You're correct. It's up to the developer to say, don't meet the standards. They're throwing it to us to change the standards for them. The developer really should take the lead in this. If they want to change their design guidelines, then they should have a separate application for that effect before the application comes in, so that's why staff feels that we need to adhere to their guidelines, and if they want to change them, then they need to make a separate application for that.

Vice-Chair Munson: This forces us into doing a lot of ad-hoc planning.

Mr. Lambers: Correct.

Vice-Chair Munson: Okay.

Comm. Elkins: I would be curious in the applicant's comments on the difference between the four square foot sign and the six square foot sign, what their perspective is on that. Maybe another way of answering the question is, if you were required to comply with the developer's guidelines, how would you change the sign?

Ms. Gillern: It would skinny up a little bit, so you'd lose two and a half inches on either side. We're at one foot five right now.

Comm. Elkins: So you'd be four by one is what you're really saying?

Ms. Gillern: Yeah.

Comm. Elkins: Does that create a lot of heartburn for you?

Ms. Gillern: No. I think we probably could follow that.

Comm. Elkins: You've heard a lot of us comment here in the last few minutes, and we'd generally like to have some give and take with the applicant. Do you care to comment on the various comments you've heard from us about all this signage business?

Ms. Gillern: Sure. I think that at the beginning I said that the canopy signage we're already considering getting rid of due to some structural attachment concerns and the landlord's building the canopy. We would have to go back and retrofit it to attach our signage to it, so I think we've already agreed that we will take off that canopy sign, and we will maintain the wall sign. As far as the window logos, the pedestrian traffic is going to be coming from the west traveling east along that little walkway. The blade sign is at the west edge of our storefront façade, so I think that with the window logos, you're not going to be looking up and seeing what tenant you are. You can see it maybe above the door, but it's flat to the façade. The logos really do. You're looking in, oh this is kind of

interesting. What's this? Oh, West Elm. I think that we would also maybe be open to reducing the number of those so that they're not on the windows flanking the entry where we don't have display, where it's really limited to those outer windows where we would have display lifestyles set up.

Comm. Elkins: What about the signs on the back? We've had some discussion. I'm not even sure you proposed. I think maybe one of us proposed for you a blade sign on the back, so I'm curious as to your thoughts as a designer on that.

Ms. Gillern: I think it's actually a great idea. Unfortunately because Williams-Sonoma, Inc. is sort of a large corporation, they also have their own design standards. I don't know that they've ever done a pickup area that's had a blade sign before, so we would be happy to take that recommendation back to them and see if they're agreeable to that. I think it's a better idea than losing the sign altogether.

Comm. Elkins: Thanks.

Ms. Gillern: Thank you.

Mr. Lambers: I just put up there for clarification as to the two window signs that they're proposing to remove, which makes sense because you've got the west elm sign above the doors there, so you have consistency on both the east and the west. I don't disagree that we have an issue here, because someone is going to come in and say a sign is a sign is a sign, and this reduces it to seven. We're going to have to really deal with that, because you can expect that we'll see more requests for these.

Comm. Shaw: I agree.

Comm. Elkins: I know this is unusual, and I'm not quite sure procedurally how to do it, but my sense of the commission is that there's not a consensus on the question of what I'll call the window signs. Perhaps we need to take this in pieces. I guess I'm sensing more of a consensus on the rest of the package, but I'm wondering if it would be appropriate for us to take a vote with respect to the window signs first and then proceed with the report based on what the outcome of that is, if that would be procedurally correct.

Vice-Chair Munson: That sounds lawyerly. I'm going to defer to my associates at the table.

Mr. Lambers: I don't disagree. I think it would be best to deal with that issue first, and I think that there probably appears to be more consensus on the other. Let's get that one decided and see if that changes any of it with regard to the applicant.

Motion to approve the use of the window signs, a maximum of 6 inches in height and with modifications regarding windows at the entrance, was made by Elkins and seconded by Williams.

Comm. Conrad: I'm not against window signs. I'm concerned about just what we've seen before and having a clear definition of what they can be and where they can be. Well done, I don't have a problem, but we've been through all sorts of canopy logos. With six inches tall, is color an issue? Is script an issue?

Comm. Williams: I guess my second, and maybe it doesn't go with the motion, but my understanding is dealing with this particular proposed signage and the script that is shown on the drawings, I believe they're in white if I understood correctly? So in this particular application we're talking six inch, white. You want to define the script type? It looks like it's helvetica or arial or something of that nature?

Ms. Gillern: Something similar. I don't know, but I think it's a specific...

Vice-Chair Munson: It's kind of arial.

Comm. Williams: They're the ones that put it on the drawings. They're close. If it was my choice, I'd pick arial.

Vice-Chair Munson: All right, arial.

Comm. Roberson: I guess from my standpoint, I think it's a mistake to vote on this. I think what I would prefer to see, from my standpoint, is to defer a vote on the window signs until we've come up with some sort of consistent policy. Again, Morton's comes to mind very quickly having just gone through that, wanting to have Morton's on each one of their canopies. We denied that. The road I thought you were going down is that we were going to defer the vote until we came up with a policy, and if we decide later on that window signs are appropriate, then they're more than welcome to put the signs in their windows. At this point in time, I think we're making an exception when we don't really know the full ramifications of what the exception could be. That's just my comment.

Comm. Williams: If I may, I don't think that we're actually making an exception, and the reason being is that we have not allowed signage on canopies. Morton's may have been the first example that you've had an opportunity to see. I've had a couple more years here, but when Bravo came, they wanted to have vinyl lettering that advertised pizza and all the foods and expresses and stuff that they had. We said no; we're not doing that. You can have the striped awnings, and that was fine. I believe the rule in Town Center was not to have advertising on canopies. I think as a commission here, we've been fairly consistent, if not totally consistent on no signage on the canopies. I think one of the things that we looked at on the canopies is that it's up, it's out away from the building, it's more in your face kind of signage, and also more advertising in those kind of locations.

Comm. Roberson: I understand, but that's exactly what this is. This is an advertisement on a window.

Comm. Williams: But if you walk through Town Center as was being pointed out, you've got this kind of signage in Town Center already. I don't know when it went up.

Comm. Roberson: Sounds like a violation to me.

Comm. Williams: Violation of what? We don't have an ordinance.

Comm. Roberson: Exactly.

Comm. Williams: But we've allowed it, so we've set that precedent, I think as long as it's done reasonably and tastefully. I agree maybe establishing more of a policy for going forward would certainly be appropriate and helpful to this body to address this issue in the future, but unless we say no, we're not going to allow it anymore, then I think allowing this one to go forward at this point would be appropriate.

Vice-Chair Munson: Applicant, how critical are these two signs to your functioning and when you plan to open and all this kind of thing?

Ms. Gillern: The window logos are probably the least critical as far as us meeting our opening. They can go up in about ten minutes after the store is opened.

Comm. Williams: They're that easy to do?

Ms. Gillern: We would be happy to have our signage vendor do a mock-up. I know that there's some concerns about how this will look. It's not a single adhesive. They're individually adhered letters, and we'd be happy to do that if that would help.

Comm. Conrad: Just to follow up on that, and I appreciate your willingness to discuss this and hopefully understand where we're coming from. It's a little different. If we go the five percent rule on those windows right there, it's almost five square feet. Those windows are about eight by twelve.

Mr. Klein: Again, as far as the five percent, staff isn't arguing. It's not five percent, and as far as the sign criteria for the development, it's not prohibited. It's just simply there was so much signage proposed. It just kind of all adds in together. I think Commissioner Williams indicated, too, you get a lot of other signage that's in the window. Even though it's on the interior window, you have a lot going on. I understand his point where that just kind of goes away, and it isn't real prominent. The other aspect of that is it's just one more thing that gets added in addition to what's going to be there.

Comm. Conrad: I think there's no question we need to update and have a work session on signage. I appreciate the applicant.

Mr. Lambers: We've got six LDO amendments that have been waiting for a year.

Comm. Conrad: Then we need to do what we can do.

Mr. Lambers: I guess I would agree Len. I don't see what we're approving tonight, if we were to approve it, are six inch white letters at the base of the storefront windows, period. If anyone comes in and says that they want something different, one will have these installed or at least if these approve, if the council agrees, say maybe this is what our standards should be until we come up with something else. I don't see it as going down a slippery slope unless someone comes in with eight inches, 10 inches, 12 inches, and we control that with each individual application that comes before you. I don't disagree that we probably should have some discussion on it just because of the number of signs. Someone's going to call a sign, a sign, a sign. We've got Dean DeLuca that has more signs than this place does. Fortunately no one's come in and said, well they got their 20 signs.

Vice-Chair Munson: How did they do that, by the way?

Mr. Lambers: That was before my time. I am less concerned about this, particularly with what they're agreeing to. If they're willing to wait, I'm just not sure when we'd get to it. I guess I would say that if we get to a point where we need to say stop, and someone comes in with a request, then we just say hey, we just don't want to see this be the precedent. We say no, and we say we put a moratorium on it. Then we go in and try to find a time to come up with a policy for it. Quite frankly, the policy would be very straightforward. It would be based on the length of the building and the number of signs, number of windows, and the height of the signs proposed to go on a window. It would be very easy to come up with it. It's just a question of finding the time for us to get together and do it. Then we'd have to have a hearing on it, and then there might be some outsiders that would require that to be reconsidered. So you're looking at probably a four to six month process.

Comm. Elkins: This is precisely the reason that I'm sponsoring the motion is that I agree. I think you described it best, that there is always a danger in ad-hoc planning, and part of what we're doing here is ad-hoc planning. On the other hand, it's a little bit apples and oranges, but we've been talking about height and massing since I came on the commission, and we have just continued those LDO's consideration again. It could be the 12th of never before we get to the signage LDO. Hopefully it won't, but what I'm most concerned about, and I appreciate the applicant's comment, because that has had a little bit of an impact on me. I'm anxious after all we went through with One Nineteen to see tenants and people walking up and down the sidewalk and people hauling furniture out of there sooner than later, after having paid for it.

[Laughter]

Comm. Elkins: Having said all that, I also think I can count votes, and I'm not sure there's a whole lot more to beat his dead horse with, so maybe we ought to proceed to a vote, unless others have comments, and see where we land.

Vice-Chair Munson: There is one thing that comes to mind, and that is it can be treated as an architectural element, which we do a lot of. When you take a look at this, that and the other and say, well this is the way we want the windows. This is the way we want that. This is the way we want that. So if it's an architectural element, that's one thing. The only thing is it really isn't, because it's paste-on. If it were etched in the glass, it would be an architectural element.

Mr. Klein: Yeah, there's the Capitol Federal. That's a slippery slope.

Comm. Conrad: I was just going to say that.

Comm. Jackson: One quick comment here. I think the better way to handle this, if we don't want to do LDO's, let's make the developer come back in and make a proposal for the whole shopping center and what would be allowed. Let us just discuss it as a group.

Mr. Lambers: That is simplest. We can do it.

Mr. Klein: It is permitted as far as their sign criteria is permitted.

Comm. Jackson: But if you wanted specific.

Mr. Klein: No, right. Exactly. It allows sign decals. However, sign decals could be this. It could be defined a lot of ways as far as sign decals. It could be the opening of the store, which I think they're also proposing. I thought I saw a package.

Ms. Gillern: We were told we couldn't do the temporary window graphics. Right?

Mr. Klein: Well, a lot of them have the hours of the store opening as far as etched.

Comm. Elkins: So we've already approved window decals as part of the signage standards for this development?

Mr. Klein: A lot of sign criteria, for instance, they like to allow some flexibility. So the center will allow a transom sign. It will allow a blade sign. It will allow a wall sign. It will allow a canopy sign. In some respects it will allow a kind of a banner sign, some on the awning sign. From staff's point of view and from talking to a lot of developments, it's not their intent to allow them to have every single one of those, even though it's permitted, because then you would end up with a transom sign, a blade sign, a canopy sign, an awning sign and a wall sign. It just gets to be too much, and the idea was that some of them might want to do a canopy sign. Some of them might want to a wall sign. Blade signs were more typical because if you're standing underneath a canopy or a colonnade, then you need something to identify which business it is. So generally you do see a lot of blade signs more on every single one or pretty close to. In fact it's listed as more or less a required element on the sign criteria for this. They also allow a marquee sign in addition to it, but it's not a required element. I guess staff was looking at this again as a package as far as all the signage together. They were proposing the decals. They were proposing a canopy. They were proposing a wall. They were proposing a blade. They were proposing a marquee, and then they had the signage on the back. Staff was trying to draw a line. Maybe you aren't allowed to

pick and choose which ones you're going to use and allow other ones to use others. Therefore you have kind of a variation going down.

Comm. Conrad: Ultimately, per the ordinance, you would be allowed three signs.

Mr. Klein: Actually per the ordinance, generally you're allowed two signs. However, a lot of times that gets modified with the overall approval of the development to allow a third sign as long as it's on the interior of the development. This is one of those developments, but it's not uncommon to most of the developments we've had.

Comm. Conrad: A point of discussion, though, the window lettering could be construed as a sign.

Mr. Klein: Staff hasn't tried to do it.

Mr. Lambers: It can. Someone can come in and say they've got seven signs, and our position is that these window signs are unique and distinct to this particular application, and we'll go from there.

Vice-Chair Munson: Okay, we have a motion and a second on the floor to approve two window signs. Not two window signs, two vinyl signs six inches tall. Is that what you said?

Ms. Gillern: I believe there's four.

Comm. Williams: Four locations on the front.

Vice-Chair Munson: Four locations on the front?

Mr. Lambers: Two were deleted, sir.

Vice-Chair Munson: What is it?

Comm. Williams: There were six.

Vice-Chair Munson: Everybody clear on the motion and second?

Comm. Williams: I am.

There was a vote on the motion for signage. Ken Roberson, Kelly Jackson, and Ken Conrad voted no. Len Williams, Mark Elkins and Dick Shaw voted yes. Bud Munson broke the tie with a no vote, and it was denied 4 to 3. Mr. Munson stated it did not meet criteria.

Vice-Chair Munson: I think that they need to have a criteria established before we go forward with it. So then let's get back to the case at hand with the recommendations of staff. Commissioners, I need a motion on that.

Com. Jackson made a motion for Case 114-07, to approve final site plan of 119 West Elm, with approval of staff's 4 stipulations and modification to #2 to allow two blade signs, a maximum of 4 square feet with 6 inch letters, not to be of a box construction. One blade sign on the front and one blade sign on the back.

Mr. Klein: In addition, C also offers a choice of two on the back as far as the one on the canopy. Did you want to also allow them to have one of those, either the ones on the door or the one on the canopy in addition to the blade sign?

Comm. Jackson: Yes. As you have it written.

Mr. Klein: Okay.

Comm. Conrad: What about 2C?

Comm. Jackson: That and a blade sign.

Comm. Elkins: So effectively, it's proposing two signs on the back.

Comm. Jackson: There would be two signs on the back but no customer parking signs.

Comm. Conrad: 2C2 is deleted, right? That's the service doors.

Mr. Klein: I think they would be allowed the blade sign, plus that would be allowed, either the sign on the canopy fascia or the ones on the door.

Comm. Jackson: It's one of the following under C. They can have either one but not both.

Comm. Conrad: Okay.

Comm. Williams: Can I ask my colleague why she has a problem with the parking signs when we allow it for other businesses in the city? This is on the back of the building. It's not like it's on the front of the building.

Comm. Jackson: I just think it's redundant. With the blade sign and the an awning sign, it doesn't seem too difficult to find where you need to go.

Comm. Williams: Well I agree that the location for your pickup, that you have a number of parking spaces back there that could theoretically be used by any number of people, whether it be employees of this establishment or employees of other stores or service people or whatever.

Comm. Jackson: Yeah, that's something we have not delved into, who would be parking back there. In my mind there weren't many people, but maybe you're right and there are, and they need to be designated.

Comm. Roberson: Do we allow customer parking to be painted on the asphalt of the concrete?

Mr. Klein: Typically I'd say we probably see more of these type of signs where it's the pole sign right in front. I can't think of any examples of it being painted.

Comm. Roberson: Borders has theirs painted on the asphalt. Is it Borders?

Mr. Lambers: Borders has for a limited time. I think it's like 30 minutes or something like that.

Comm. Roberson: But it's on the asphalt.

Mr. Lambers: It's on the asphalt.

Comm. Roberson: I've seen a number of establishments that they just paint it right there on the parking spot.

Mr. Klein: Is it on the parking spot, or is it on the curb?

Mr. Lambers: Sometimes it's on the curb, too, is where they are.

Comm. Roberson: Sometimes.

Mr. Lambers: They show 30-minute parking.

Comm. Roberson: Right, but I think that's tacky. I like it on the asphalt, but that's neither here nor there. I just don't like the signs.

Vice-Chair Munson: I have a motion. I don't have a second yet. Is there a second to the motion?

Motion seconded by Roberson.

Comm. Conrad: Could we have that reread one more time?

Vice-Chair Munson: She'll reread it for you or staff will.

Mr. Klein: As far as what I have, I'll have to go to the DVD to get it word for word.

Comm. Conrad: What about number one?

Mr. Klein: I think basically it's modified with the stipulations stated in the staff report one through four with a modification to 2B to read two instead of just one blade sign, a maximum of four square feet with a maximum of six-inch letters, the blade sign not to be of a box sign construction. One blade sign shall be on the front of the building, and the other blade sign shall be on the back of the building. I think that was it.

Comm. Conrad: What about number one?

Comm. Jackson: Commissioner Conrad did just point out to me number one. We were all in agreement that we liked what they were proposing, so we could just delete number one.

Mr. Klein: Delete number one.

Comm. Jackson: So we would also delete number one and renumber them so that there would now be three stipulations instead of four. Thank you.

Comm. Conrad: Parking signs are not a part of this application, so they don't need to be addressed?

Mr. Lambers: They're making a request for them to be included, so if you don't include them, then they cannot be instructed. If they were to be approved, then they would have to go back in and amend their design guidelines. The next time they came in with a project, they'd have that amendment in there.

Comm. Williams: Is one way to address the parking signs to offer a friendly amendment to the proposal and vote on the amendment and then vote on the proposal?

Mr. Lambers: It would not be friendly, because the maker has specifically said she does not want that. So you'd have to offer an amendment and have a vote on that and then proceed. A friendly amendment is incorporated in the motion.

Comm. Williams: Okay.

Com. Williams made an amendment to the approved motion for Case 114-07, West Ekm, to allow four parking signs at the rear of the building "Customer Parking Only", and it was seconded by Com. Elkins.

Vice-Chair Munson: Do you accept that amendment?

Comm. Jackson: No, I'm not accepting it. He's proposing it as an amendment to be voted on separately.

Comm. Elkins: And I've seconded it.

Motion to amend denied 3-4, with Mr. Munson breaking the tie.

Comm. Williams: I guess let the record show that three of us thought that it was appropriate, particularly given that the city has allowed it for other businesses within the city.

Vice-Chair Munson: So let it be written. So let it be done. Anybody else want to propose amendments?

Comm. Elkins: You didn't think you were going to have to vote tonight, Bud.

Comm. Williams: Call for the vote and get this over with.

Com. Jackson's amendment to the motion to approve 114-07 approved unanimously.

Mr. Lambers: One final thing. It will only take a minute. We have an application coming forward that will require a special meeting, so right now we have the LDO amendments for the January 8 meeting. My game plan is to have a Planning Commission meeting on January 15th, and at the next meeting I need to know if any of you have any ideas to whether you can make one or the other. Whichever one we have the most people able to attend, then that's the meeting that we will have that item come before you.

Vice-Chair Munson: January 8 and 15?

Mr. Lambers: Correct.

Vice-Chair Munson: They're just a week apart?

Mr. Lambers: Yes, sir.

Vice-Chair Munson: Will we have a work session on this before?

Mr. Lambers: No.

Vice-Chair Munson: No? Okay.

Mr. Lambers: It will be a special meeting with just this one item.

Vice-Chair Munson: One item, special meeting.

Comm. Conrad: Can somebody send an e-mail asking for our choice, or do we just say?

Mr. Lambers: At the next meeting that we have, just check your calendars and let me know.

Meeting adjourned.