

City of Leawood
Planning Commission Minutes

November 27, 2007
Meeting – 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive

CALL TO ORDER/ROLL CALL: Present: Shaw, Roberson, Jackson, Rohlf, Williams, Elkins, Reynolds.

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

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 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 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 – 13502 Mission Road - 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**

CASE 123-07 AT&T LIGHTSPEED – SAI CABINET – located at 11701 Nall Avenue. Request for approval of a Special Use Permit located at 11701 Nall Avenue. **Public Hearing**

NEW BUSINESS:

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.

Staff presentation:

Mr. Joseph: This is case 107-07, Morton's Steakhouse in Park Place. The applicant is Steve Haasl with Shea, Inc. The applicant is requesting approval of a final site plan for a tenant finish storefront within the Park Place development. This property is located at the corner of 117th and Nall Avenue. This case was continued from the October 23 Planning Commission meeting due to some outstanding issues regarding the architecture of the building. The applicant has submitted revised drawings addressing all of the concerns of the Planning Commission.

Just to go down the list, the south elevation has been revised to incorporate the descent of the Aloft Hotel as part of this tenant finish. The signs from the awnings have been removed. Four additional artificial windows with louvers and awnings have been added to the west elevation in an effort to break up the brick façade. The portion of the north elevation under the hotel has been changed from stucco to brick, and also they added three windows along there.

Staff is recommending approval of this case with the stipulations stated in the staff report. If you have any questions, I'd be happy to answer them.

Comm. Williams: A couple of things. Some of this is semantics, I guess. You make reference in several lines of your write-up as this being tenant space, tenant finish. In other places you talk about it being a building. Technically there's differences there, so what are we really dealing with? Are we dealing with a building, or are we dealing with tenant finish?

Mr. Joseph: This building was shown as part of the Aloft Hotel. It's the retail portion of the building, and you can call it tenant finish. Also you can call it a three-sided building.

Comm. Williams: Well if I recall correctly, when we reviewed it for the Aloft, it was basically shown as a block. So there's no architectural carry.

Mr. Joseph: Yes, it is just a block. Now they are finishing the lights.

Comm. Williams: So we get into putting exterior fenestrations in and so forth.

Mr. Joseph: Correct.

Comm. Williams: That becomes more of a building than a tenant finish.

Mr. Joseph: Correct.

Comm. Williams: In that regard, you're listing six recommendations here. If this is indeed a full building, would we not have the full list of building considerations we normally have, like concealed gutters and screening of rooftop equipment and that sort of thing, which we have rooftop equipment on this project?

Mr. Joseph: Again that part has been handled when Aloft Hotel came in, so if you would like to add that stipulation, that's okay. You can add that to the list. Maybe all the stipulations from the Aloft Hotel project can be added to this project also.

Comm. Williams: I picked out those two because those are typically very important issues, and again since this building now has rooftop equipment, there's no reference to the screening of rooftop equipment in their submittal.

Mr. Joseph: Yeah, it's actually part of the Aloft Hotel project, so we can add those stipulations.

Chairman Rohlf: So Jeff, would these staff reports be considered as one report? Would they be filed together?

Mr. Joseph: No, this is a separate project. We have a separate file for this, but if you add the stipulation in there, then we look at the other stipulations.

Chairman Rohlf: Okay. That's the way we can handle it. All right, do you have anything else, Len?

Comm. Williams: Not at this point in time, thank you.

Chairman Rohlf: Does anyone else have questions for staff? All right, then we'll hear from the applicant.

Applicant's presentation:

Steven Haasl, Shea, Inc., 100 N. Sixth Street, Minneapolis, MN, 55403, appeared before the Planning Commission and made the following comments:

Mr. Haasl: We do have some presentation boards I'd like to share with the commission. I'd like to thank the commission for having us back. At the last presentation, there was general agreement as to the exterior design. As you know it's a Morton's Steakhouse. Morton's is a 30 plus year business, luxury steakhouse, top of the line, high quality product, materials, staff, service, food. I think the comments that were brought up last time, generally there was agreement as to the design of the building, but the comments were based on more of how the building connected to the hotel, how the hotel connected to the ground, how the back of the facility looked, and also the treatment of the southeast corner of the building. So we've gone back and taken a look at those pieces, and the information you have in your packet reflects what we have come back with, a basic design.

The front of the building, the northeast view, is still essentially the same. We've taken off the signage that was on the awnings in response to the last meeting here. We've added brick and some more fenestration underneath the hotel. It was stucco before, so we picked that up to make all the way around the hotel. On the south and east, as we brought the hotel down to the ground, even though it is part of the Morton space, we've carried the window patterns onto the ground and used the finishes that the hotel has and grounds that. Morton's building to be received by it, so it has buried our Morton's building up against the hotel, brought the hotel finishes out. I've carried the stone base around just to provide some continuity around the building. The previous iteration, if you recall perhaps, had the Morton sign in the center of the space more. We've pulled that to the corner. We've raised the corner to give some more impact to the southeast corner, which is the entry piece going in. A strong identity there is some good height in material out to going in the corners there.

On the back of the building, the area is depressed by at least six feet. There is a fence that runs around the outside, plus there's a screen of some landscaping in this area and a fence that runs around the back there. You really don't see down in there very much. We wanted to make sure that it looks good all the way around.

We first proposed doing this face, which is the northeast back They're just brick. They have horizontal lines. I talked to Jeff a little bit about it. He thought that we could do a little better with that, so we came back and introduced, again keeping the same brick as the hotel, bringing that down to the ground but adding some of the design elements in the form of awnings and shutters similar to these across the back just to break that face up, and again keeping the same materials as the hotel but also adding those elements which will tie back into the Morton's façade, finishing all four sides. We've gotten rid of the stucco. We have brick all the way around. We've carried the hotel to the bottom. If you use the hotel coming down on the face, and we've punched up the corner that we've answered the issues. I'd be happy to answer any questions.

Chairman Rohlf: I'm glad you put that west view up there. Our renderings in our packet did not have those awnings shown, and after reading the staff report I kept looking at that thinking, where are they? So hopefully everyone can see that now.

Mr. Haasl: This is the service door in back. This is basically a service area of trucks loading and things going in the public area, but there may be some view to it, so this will complete the box all the way around.

Chairman Rohlf: And where is the patio? I think it's on the southeast now?

Mr. Haasl: They are off to the side here. Living within the confines of the landscaping has been a post-traumatic event. To answer your question about top screening, that is an issue that we took a look at. These are part of your packet, but all of our mechanical equipment is being clustered in the center of the roof, so much of the screening is being handled by the parapet walls up here. And the part that's not, we've got a rooftop screen that will be applied back there along the edge of the building. All roof drainage is internal.

Comm. Williams: Thank you for addressing that because that was going to be the first one out of the shoot here. I don't recall that this got much discussion at the last meeting, but I wonder if you could clarify for us. On the west side of the building, you have a retaining wall that comes from Nall down 117th Street to the Morton's building or to the hotel building. It goes all the way down to the edge of your building? Okay, and so the portion of ground that's right behind that towards the parking lot, is that just all paved?

Mr. Haasl: You mean this area?

Comm. Williams: Yeah, just on the other side.

Mr. Haasl: It's brick.

Comm. Williams: Parking? Okay.

Mr. Haasl: That's all part of the original.

Comm. Williams: Okay. Then on the south side of the building, that's all landscaped up to the sidewalk?

Mr. Haasl: Correct. It's all landscaped through here. We're fitting our building within his landscaping plans.

Comm. Williams: Okay. Just one more comment. I'd like to thank you for your efforts to ground the hotel. I think you've made an improvement from what we saw the last time. Thank you.

Comm. Reynolds: Likewise, terrific job on responding to the comments. On the east side is where the patio is, and I just want to be sure that we're requiring that you have a fence around that area. Will the public be able to circulate without stepping into the street then when they move by this east side of the building?

Mr. Haasl: That's a good question. We've been struggling with that one. Looking at the building, the front door is here. Our patio area is off to the side. Our bar lounge is here. The patio expands off of that. There's large banter in scaped areas that occur along here. We don't have the final plan yet, but we understand we have to maintain pedestrian access through this way. So fencing that we do has been more decorative in nature.

Comm. Reynolds: I'll wait until later, I guess, to follow up on that then.

Comm. Jackson: Where's the parking in relation to this? I don't see the whole layout of the area. I can't remember how the parking matches up.

Mr. Haasl: That small parking area is back here that we talked about.

Comm. Jackson: But that was just service?

Mr. Haasl: Then the main body of parking is throughout.

Comm. Jackson: But there's no access from the hotel to Morton's, correct?

Mr. Haasl: Correct. There's no internal access.

Comm. Jackson: Do you have to go from the parking garage through the hotel and then out?

Mr. Haasl: Yes, you would. Or you can park on the surface lots that are over here. There's purpose lots over there. Most of Morton's are valet parks. Very few people self park for Morton's.

Comm. Jackson: Oh, there's going to be the valet parking. Okay, that's right.

Mr. Haasl: That's what this curb is for, specifically for valet.

Chairman Rohlf: Anyone else have questions for the applicant? All right, thank you. This takes us up to our discussion.

Comm. Reynolds: I just need the clarification. Jeff, I assume we're requiring a fence that's to sort of keep the public from kind of meandering with people drinking liquor.

Mr. Joseph: Correct, with the liquor, yes.

Comm. Reynolds: So just help me out. I don't think our intent would be to have the public use a gate and walk through this fenced area to get north and south, correct?

Mr. Joseph: Correct.

Comm. Reynolds: So I just want to be sure the applicant would be clear. I would think what we would require is a minimum width and pick a five foot or whatever clear public pathway that does not require you to walk through the fenced area.

Mr. Joseph: Yes.

Comm. Reynolds: Okay. So we may need to add a stipulation to make sure that's clear.

Comm. Jackson: That's number three, isn't it?

Comm. Reynolds: I'm sorry. Brilliant, good.

Chairman Rohlf: It looks as if maybe we are ready to make a motion remembering that we need to add a stipulation to include the stipulations from the Aloft Hotel staff report.

Motion to approve Case 107-07, with revised stipulations, was made by Reynolds and seconded by Elkins. Motion approved unanimously.

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

Staff presentation:

Mr. Joseph: This is Case 116-07, Building 133 Office Development. The applicant is Chuck Peters with Peters and Associates. The project is located close to the northwest corner of 133rd Street and Mission Road. The applicant is requesting approval for the final plat and final site plan for the construction of a one-story, 28,000 square foot office building. The proposed building will be constructed of brick, cast stone, natural stone and glass. The site layout and elevations of the building are the same as approved during the preliminary application process. Additional landscaping has been provided throughout the site to meet the requirements of the Leawood Development Ordinance. Staff is recommending approval of this case with the stipulations stated on the staff report. If you have any questions, I'd be happy to answer them.

Chairman Rohlf: Just so you all know, there is a report from Public Works up here on the dias for this case. Does anyone have questions for staff on this case?

Comm. Reynolds: This comes pretty close to our large piece of public art.

Mr. Joseph: Yeah, it's close. It's just east of that.

Comm. Reynolds: So I assume that's part of your comment there that we tried to preserve trees as much as possible so it doesn't impact that setting.

Mr. Joseph: Correct. They're not cutting into that area at all.

Comm. Williams: Does the property line basically then stop where the trees are right now?

Mr. Joseph: Yes.

Chairman Rohlf: Anyone else have questions for staff, or can we go ahead and move on? Then I think we'll hear from the applicant, please.

Applicant's presentation:

Chuck Peters, Peters & Associates, 9990 College Boulevard, Overland Park, KS, appeared before the Planning Commission and made the following comments:

Mr. Peters: I'm here tonight to ask your approval on this 28,000 square foot building on the north side of 133rd just west of Mission. I think these are the same plans I brought before this board, the preliminary plans. We have had the opportunities I committed to do with the neighbors, to meet with them on the landscaping buffer, and I believe a couple of those letters are in your packet. I think Rick Owens, the landscape architect, went through an explanation of the landscaping. Some comments were made, and we addressed those by taking some of the ornamental trees and placing them on the north side for the benefit of the homeowners. We also added some additional trees off of our property that's to the west of that in that greenbelt area so that we could also buffer one of the other neighbors. We received the approval from the landowners of that property to improve some landscaping that would also buffer from another owner that's not adjacent to the building but down the way. We have a better vista from the building. Other than that, I don't have anything else to report, but I'm happy to answer any questions.

Chairman Rohlf: Thank you, Mr. Peters, for working with the neighbors. I do remember that we did have some outstanding issues on that. Just refresh my recollection. Has anything changed with respect to the development this initially appeared to be part of, the one across the street?

Mr. Peters: Other than the plan was withdrawn.

Chairman Rohlf: That's all? Nothing else has changed?

Mr. Peters: Nothing, no.

Chairman Rohlf: All right. Because I think we had some concerns about that last time.

Mr. Peters: Yeah, we had a meeting with the City Attorney and planners and those owners and their attorney, and it was agreed at that meeting that they would withdraw their plan.

Chairman Rohlf: All right. And you are in agreement with all of the stipulations that are part of the final?

Mr. Peters: Yes, I have given Jeff a letter this evening with my signature saying that we agree to all the stipulations.

Chairman Rohlf: All right, we are ready for questions then.

Comm. Williams: All the glazing areas that are shown on your elevations, those are actual clear glazing, not spandrel glass?

Mr. Peters: I believe that the upper transom is spandrel light that's above the nine foot level, but other than that, yes sir, all that you see on any level below nine foot is actual glass. It's tinted glass, but it's glass.

Chairman Rohlf: That's the building, isn't it?

Mr. Peters: Yes it is. This is the model of the building looking, from your vantage point, north. Also, one other clarification. I think it was Mr. Williams that asked about the tree line. We are well off. You'll see that this model depicts very accurately where the building is and where the existing tree line is, which is on your left side of this model. You see that cluster of trees? That is the actual, so we are well off the tree line.

Comm. Reynolds: Could you describe the glass and the metal roofing? If the sample board's there, maybe just kind of point out and tell us a little bit about it.

Mr. Peters: The actual storefront framing is hemlock green, which is this color. The glass has got a green tint to it, which is this here. And this Insulite one, it's just laid glass.

Comm. Reynolds: That helps, yeah. Then the metal roofing material, point that out on the board there if it's there.

Mr. Peters: Yes, this is the concrete slate that's very similar to the building we did for Mr. Peppes over here off of 115th Street, which is a concrete tile roof. It's called Harbor Blend. It's a mixture of three different colors.

Comm. Reynolds: The rendering is showing some standing sea roof.

Mr. Peters: Yes, that's the hemlock green that would match.

Comm. Reynolds: That's the hemlock as well?

Mr. Peters: That's the hemlock green to match the frame, yes.

Chairman Rohlf: Does anyone else have questions for the applicant? I think we are finished for the moment. This takes us up to our discussion and hopefully to a motion.

Motion to approve Case 116-07 along with all 25 staff stipulations was made by Com. Williams and seconded by Elkins.

Comm. Jackson: Last time we did have a lot of discussion about whether this should incorporate what was coming to the south of it. I think at this point if they're not even having anything proposed or in the works, it's pretty tough to hold up this project.

Chairman Rohlf: I agree.

Motion approved unanimously.

CASE 120-07 INGREDIENT OF PARK PLACE – Request for approval of final plan, located at the northeast corner of 117th Street and Nall Ave.

Staff presentation:

Mr. Joseph: This is Case 120-07, Ingredient within the Park Place development. The applicant is Ramona Rafferty. The applicant is requesting approval for a final site plan for a tenant finish storefront within the Park Place development. This property is located 117th and Nall Avenue. This tenant finish is located at the southern end of Building B within Park Place. Staff is supportive of this project except for the windows that are proposed on this project. The applicant is proposing single hung windows, which are usually seen on residential type projects. Staff is recommending a more commercial type of window. Other than that, staff is recommending approval of this case with the stipulations stated in the staff report. If you have any questions, I'd be happy to answer them.

Chairman Rohlf: Jeff, did you talk to the applicant about the concern with the windows?

Mr. Joseph: I'd like to show you the picture of the windows that they're proposing.

Chairman Rohlf: All right, because I'm not quite sure I found that in my packet. That would be the first time we would see something like this in this development, right?

Mr. Joseph: Yes, this is the first time that staff is seeing one like that. Staff is concerned and just wants to make sure that all the building codes and everything are met with this type of window.

Comm. Williams: Why would you have concern that this type of window would not be building code?

Mr. Joseph: Usually it fits in with the residential building as they're shown on the drawing, the picture. It's more a residential type of building, and this is a commercial.

Comm. Williams: Oh, it's more of an institutional building than a residential building. Kawneer is pretty much a commercial window manufacturer, not a residential window manufacturer, so I think that comparing this product with what you would find on anybody's home is not a fair comparison. You're talking apples and oranges, not apples and apples. This is the only information you have on what these windows begin to look like instead of something up close and personal?

Mr. Joseph: Yeah, this is the picture that they sent me. Maybe the applicant has a better picture.

Comm. Williams: All right, thank you.

Chairman Rohlf: Maybe we should move forward then with the applicant.

Applicant's presentation:

Ramona Rafferty, 2231 SW Wanamaker, Topeka, KS, appeared before the Planning Commission and made the following comments:

Ms. Rafferty: I basically have a really brief explanation. Ingredient is a fast casual restaurant specializing in salads, soups, sandwiches and pizzas. Our design intent with the simple façade that we presented is to mimic the first Ingredient, which is in Lawrence, Kansas, to further their branding. We use a multitude of textures to make you want to come in and experience the food instead of bright colors. We're using metal to accentuate the front door and the mini-board. Because of our location, it is a triangular end of the building. The ice rink is on one side and Ash Street is on the other side. This is the west elevation, and just real quickly, because of our first restaurant, we used cast stone with metal panels to accentuate the front doors and the mini-board here all with awnings throughout. You said commercial operable windows. We wanted to bring in the experience of the diner that is an interior looking out to the ice rink and being able to see and hear what's going on and to also bring that experience into the restaurant and making it an ice rink. Ingredient would be a spot for the ice rink guests. I do want to say that Park Place, as the developer, has approved the commercial operable windows.

We do have plenty of walkway along the west side for pedestrians. It's ten feet and then there's a ten-foot space of outdoor dining, which I can show on a floor plan if you want to see that, or it's in your packet. Also, on the east side you have outdoor dining, and then it's over five feet width of walkway between that and the ice rink.

Comm. Roberson: The windows, what do they do? Do they open?

Ms. Rafferty: Uh-huh.

Comm. Roberson: How do they open?

Ms. Rafferty: Okay, that is going to be controlled. On the east side, you can sit next to them on the interior and the exterior. They lift up.

Comm. Roberson: Thank you. And it's just the bottom that lifts up?

Ms. Rafferty: Correct.

Comm. Roberson: That's why you call them single hung.

Comm. Williams: Single hung.

Comm. Roberson: I just wanted to clarify that.

Comm. Williams: When you have double hung, the top comes down provided they don't stick or something like most of my windows do.

Comm. Roberson: Again, I'm not an expert in this by any means. These windows, they're not "commercial" grade?

Ms. Rafferty: They are commercial grade.

Comm. Roberson: They are commercial grade? Okay. Tell me what that means.

Ms. Rafferty: It's the warranty.

Comm. Roberson: Why are they different than a residential window?

Jeff Alpert, Park Place Developers, LLC, appeared before the Planning Commission and made the following comments:

Mr. Alpert: First of all, they're made stronger. They're a lot more expensive. They have a one-inch slate of glass unit within the sash. They're pre-finished. I'm sure you're familiar with Kawneer as a brand. It's all pre-finished aluminum. As opposed to a residential window that typically would have a wood interior and maybe a clad exterior or maybe it would be wood on the outside and be painted, these are designed specifically and only for commercial applications. Unlike a typical Kawneer storefront that is a fixed system, these operate. So you can open them up in the spring and summer and fall and bring the outside in and the inside out and just make that connection that you can only do with some kind of an operable system. The idea of the single hung and raising it a little higher off the ground allows them to put tables on both sides as opposed to a sliding door that would open all the way to the ground.

Comm. Williams: Carry that discussion further if you know this information. Describe for us, since these are single hung windows, the width of the sash members or the frame members, maybe what the frame itself looks like. Then since you're ganging these together, what's that gang connection? Because that might help this body better understand what this might look like as well as staff to relate this to the more typical commercial construction.

Ms. Rafferty: I did bring some sections if you'd want to see them.

Comm. Williams: Yes, please.

Comm. Roberson: Jeff, while she's doing that, what's directly across from this facility? Is there another building over here? There is, isn't there?

Mr. Alpert: There's a building on the other side of the ice rink. Actually it would be another restaurant.

Comm. Williams: Fair. No fault of yours. I think it's just their small screen TV's. It might be easier to pass them around.

Comm. Elkins: While my colleague's looking at the drawings there, following up on what I think was one of his questions, you have these windows ganged together as he puts it. Do all of them operate? Can you describe the visual for me if they were all open at the same time? Is it just one huge blank space, or are there actually a series of frames from left to right if I was on the ice rink looking at them?

Ms. Rafferty: It would look exactly like this elevation from the east side. There are individual frames.

Comm. Elkins: So the blue is a partly down window, is that right? Okay.

Ms. Rafferty: The blue is the top part and then this white below is the bottom part that raises up.

Ms. Rafferty: It would be all clear glass.

Chairman Rohlf: What's the color of the framing? This picture looks really white.

Ms. Rafferty: It would be black. Keeping in mind the frames are black.

Chairman Rohlf: Black, all right. Maybe I missed that.

Comm. Williams: These details don't show what the connection looks like when you gang these together. There's got to be some framing, some support to connect these. Do you have something like that? While you're looking, I'll just share with my panel here in case you don't catch this. This window product has what we call in the trade a nominal a site line that would be a four-inch frame. So that's a pretty heavy frame. It's got close to a five-inch sill, so again that's a pretty hefty sill. If you were to be looking at a typical residential window, you'd be looking at something more like about a three inch, three and a half inch and two to two and a half inch for the side frame or jam section. So these are heavier by quite a bit, likewise the dividing rail on the single hung window. A typical residential window is about at tops two inches today, and this is close to three inches. So again, you're looking at much more meat and thickness, and I think when this actually does get installed, knowing the Kawneer product as I do, there's clips and channels that actually hold these windows in place, which again is part of their commercial construction versus what you would typically see on a residential. In that regard, I wouldn't have any problems with this. I'm just concerned about what you plan to do to gang these together.

Ms. Rafferty: I do not have that detail with me.

Comm. Williams: Okay.

Chairman Rohlf: Mr. Alpert, I note that you had a letter in our packet saying that you had approved this design. Have you by chance seen the other Ingredient in Lawrence? Have you taken a look at that?

Mr. Alpert: Yes, I've seen it, and I've eaten in it.

Chairman Rohlf: Is this a pretty true rendering of what it looks like in Lawrence?

Mr. Alpert: Yeah, I think it's very similar.

Chairman Rohlf: And the windows are the same?

Mr. Alpert: I believe.

Ms. Rafferty: The windows were existing, because it was a remodel.

Chairman Rohlf: Oh, you took over. All right.

Ms. Rafferty: So they have the single.

Chairman Rohlf: But this particular window that you've chosen, that is something that is typically a part of your restaurant?

Ms. Rafferty: Yes.

Mr. Alpert: I might make the comment that we're encouraging all of our restaurants wherever possible to have either open doors or windows. One of our underlying concepts was to have outdoor dining, sidewalk dining in Park Place, and the idea that we bring the outside in and the inside out is one of the key design philosophies that we're trying to promote through all of our restaurant designs.

Comm. Jackson: Is there a design board on them?

Ms. Rafferty: There was a material board submitted to the Planning Department.

Chairman Rohlf: I think Jeff has it over there.

Ms. Rafferty: I also brought extra color copies.

Chairman Rohlf: So Jeff, if we were to go along with what the applicant is proposing, then we would need to delete stipulation three?

Mr. Joseph: Another reason for that stipulation is that we would like to have the building official take a look at these windows and make sure they meet all the building codes. That was another concern that we had.

Comm. Elkins: Wouldn't they have to meet?

Comm. Williams: Yeah, they would have to meet the building code anyway. Do you have a specific concern as far as meeting the building code?

Mr. Joseph: No, I just wanted to make sure that it met all the building codes and everything, so that's the reason why that stipulation was there.

Comm. Williams: Because you wouldn't have egress issues with windows. That's usually tops on their list. And the other is wind loading, and since this is a heavy-duty commercial grade window, I can't imagine that's going to be an issue. So number three needs to be rewritten still to confirm that it does meet all the code requirements, which it should. But if you feel more comfortable having something in there in that respect, we could do that.

Chairman Rohlf: What would be a better characterization of these windows? They're not really residential, but are they are truly commercial? Is that how you would characterize them in the field?

Comm. Williams: Yeah, even if you look at the cut sheets that were passed along from the manufacturer, it's even described on the top part of the sheet that it's a heavy duty commercial window.

Chairman Rohlf: That's what I thought. Okay.

Comm. Williams: That's a step in the right direction, and there's a bunch of numbers and alphabet soup on the side of it that begins to relate to industry standards for window products.

Mr. Alpert: If you just rewrote the stipulation to say that the window shall be a commercial grade window, I would think that would cover the intent.

Comm. Williams: Maybe in light of the concerns that the staff and maybe this panel has, since you call out a specific product on this, that product be what goes into the project.

Comm. Roberson: Is that okay?

Ms. Rafferty: Yeah.

Chairman Rohlf: I was just going to make sure that all the other stipulations were okay. Staff had a concern there. This might be totally off the subject, Jeff, but with respect to building codes, would there be any issue at all with the fire department with windows that open versus that don't?

Mr. Joseph: Again, they're allowed to review the plans and make sure everything is okay.

Chairman Rohlf: You just don't see windows that open very often.

Mr. Joseph: For commercial, yes.

Comm. Williams: You don't, but in most commercial applications you have to designate windows for fire department access. So you see an FD on the glass. That's where fire departments are supposed to have easier access to get in to buildings when windows don't operate.

Comm. Reynolds: What does the tagline say currently that's on the signage?

Ms. Rafferty: We did take it off, because it was one of the stipulations.

Mr. Joseph: Yeah, the tagline is not there.

Comm. Reynolds: Yeah, I saw that, but I still wanted to know what the tagline was.

Ms. Rafferty: Formulate satisfaction.

Comm. Reynolds: Jeff probably knows where I'm going. I'm actually a member of the board that likes taglines. I think it helps customers and especially something called Ingredient. Do I get pharmacy or what?

Chairman Rohlf: Do we have any other questions for the applicant? All right, thank you. That takes us up to our discussion and hopefully a motion. Perhaps, Mr. Williams, you might be in a position to do that?

Comm. Williams: Before I attempt to make a motion, I would like to put up for discussion one concern that I was speaking to with the application, the connection between these windows, how they come together and what that looks like. I think it will make a big difference on that façade, because that's going to be a major factor here. So in that regard, I'd like to possibly address that with an additional stipulation so that staff can see what that is going to look like and make sure that it overall would be satisfactory.

Comm. Roberson: Would you explain your concern?

Comm. Williams: Okay. Based on the sections that were shown to us tonight, it was strictly for a single window, and so you're taking windows that have two flat metal faces and butting them together. Well, in the real world you just can't butt two window together, have that joint and have it stay in place. There's going to be some connection, some framing that has to take place in order to hold those windows together. Also, to address the code issue, you have wind loading issues that have to provide some support for the windows. The windows being attached top and bottom probably isn't going to work and meet code. I mean they're not that big a window, so again we're talking hurricane force winds maybe to blow them out. Still, you need something. You need something to finish that joint, fasten together, and Kawneer has hundreds of different metal parts and pieces and clips and stuff.

Mr. Alpert: I think we actually have that detail.

Comm. Williams: You've got that?

Mr. Alpert: I think we do.

Comm. Williams: Oh good, let's see it. Oh, you just made my day. All right.

Motion to approve Case 120-07, with revised stipulations, was made by Williams and seconded by Reynolds.

Comm. Reynolds: I really applaud the applicant on their innovative thinking. I think it's my favorite building so far in Park Place. I know it's very understated, but I think it's really going to be successful. I also applaud Jeff and Len for being careful where we see something for the first time. I'm very excited about this one.

Motion approved unanimously.

CASE 124-07 AT&T LIGHTSPEED – VRAD CABINET – located at 12701 Glenfield. Request for approval of a Special Use Permit located at 12701 Glenfield Street. **Public Hearing**

Staff presentation:

Mr. Joseph: This is Case 124-07, special use permit for the installation of a VRAD cabinet. It's located at 12701 Glenfield, which is within the Leewood fire station. The applicant is Eric Stong with AT&T. The applicant is requesting approval of a special use permit for the VRAD cabinet. Staff is recommending approval of this case with the stipulations stated in the report. If you have any questions, I'd be happy to answer them.

Chairman Rohlf: The minutes should reflect that Mr. Conrad has joined us this evening. Jeff, I know we've had a number of these, and the staff report looked pretty familiar. Is there anything different about this particular application?

Mr. Joseph: This is just a standard cabinet.

Chairman Rohlf: Does anyone have questions for staff? All right, then we'll hear from the applicant.

Applicant's presentation:

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

Mr. Carroll: With this application and the one to follow, AT&T furthers our broadband deployment, our fiber deployment throughout the community in order to bring competitive choices of cable programming to the citizens of Leawood. This particular application is located at 127th and Mission Road just south of the fire station along the property line there. We have two existing cabinets there now. We're going to be adding a third cabinet, a VRAD cabinet, to provide the video services. With this application, there is no landscaping there now, but we will be adding significant landscaping, about 45 plantings, which I'm sure that those at the fire station would appreciate. There's nothing spectacular or peculiar particularly about this application and any of the previous ones we've had before you. Just another cabinet as Jeff mentioned. We ask your approval on this one. We've reviewed the stipulations, Madam Chair, and certainly concur.

Chairman Rohlf: I believe we've seen a number of these this fall. All right, thank you. This case does require a public hearing. Is there anyone in the audience that wishes to speak to this case?

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

Chairman Rohlf: Do we have any additional discussion on this case, or are we ready to move toward a motion?

Motion to approve Case 124-07 was made by Roberson and seconded by Conrad.

Comm. Elkins: It's a little bit out of order. I have a question for staff. On the landscaping issues where we have a plan here for, in this case, nine arrowhead viburnum and 26 grape leaf anemones, it seems to me natural that not all 26 anemones and nine arrowhead viburnum necessarily will survive. When we put these stipulations in on the landscaping, does the applicant have an ongoing obligation to maintain to the extent of replacing if one or more doesn't take?

Mr. Joseph: Again, this document is signed and sealed by a landscape architect, and also they are obligated to maintain the landscaping. So if it dies, then they have to replace it.

Comm. Elkins: So a couple of years from now, if a bunch of it's died out, they've got an obligation to replace them?

Mr. Joseph: Correct.

Comm. Elkins: Okay, thank you, Madam Chairman.

Motion approved unanimously.

CASE 125-07 AT&T LIGHTSPEED – VRAD CABINET – located at 15100 Nall Avenue. Request for approval of a Special Use Permit located at 15100 Nall Avenue. **Public Hearing**

Staff presentation:

Mr. Joseph: This is case 125-07 for approval of a special use permit for a VRAD cabinet. This cabinet is located within the Nall Valley Shops at 151st Street and Nall Avenue. They're also rebuilding the SAI box that is existing, and staff is recommending that they provide more landscaping around that SAI box. With that, staff is recommending approval of this case with the stipulations. If you have any questions, I'd be happy to answer them.

Comm. Williams: Question for clarification. Reading the Public Works' comments on this, the plan and your stipulations, does that cover all of the Public Works' comments and issues?

Mr. Joseph: Yes, stipulation number four incorporates the Public Works' comments.

Comm. Williams: But the plan as it exists right now, are they in compliance with all of Public Works' comments, or are they needing to change part of this?

Mr. Joseph: I think they need to change some of them.

Comm. Williams: Is that something the applicant needs to address?

Mr. Joseph: Yeah.

David Ley, City of Leawood Public Works Department, appeared before the Planning Commission and made the following comments:

Mr. Ley: These stipulations are addressing the proposed VRAD, which is 19 feet from back to curb. This isn't referring to the existing SAI box. Is that the question?

Comm. Williams: Yeah.

Mr. Ley: The stipulations were just specifically for the VRAD cabinet. As far as that existing box, Public Works is fine with that remaining where it's at unless Planning wants additional landscaping right at that spot.

Chairman Rohlf: To follow up a little bit with that, Mr. Ley, I know we've had a number of these cabinets and boxes going in at various stages. Have you found any problems with any of your comments, any easement issues or anything that's come up since we've been installing all of these?

Mr. Ley: No, typically the applicant has already worked with the property owners to get the easements, and so we haven't had any residents call in to complain or raise any concerns about it, at least not to Public Works.

Comm. Conrad: Maybe this is for the applicant. I think we've tried to consolidate these as much as we can. Just the question, is there a chance you could move the SAI box to the other side of the sidewalk to take it more off of the streetscape? Or is that a pretty large task? Maybe we could wait.

Chairman Rohlf: Well, I think we're getting close anyway. I think we're probably done with staff, unless someone else has a question for Jeff. Then we will hear from the applicant.

Applicant's presentation:

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

Mr. Carroll: This cabinet at the northeast corner of 151st and Nall is an additional cabinet. There is an existing Service Area Interface cabinet. The new cabinet will go behind the sidewalk. Even further back and to the west there is a larger KCP&L power structure there. I don't know how long our cabinet has been there, the existing Service Area Interface cabinet. To address the question, Commissioner Conrad, it would be our preference not to move that cabinet. There is significant cost associated with that. We do concur with the stipulation that if in such a case the street will widen, it would be at our expense to move that at that appropriate time, but at this time we're going to put landscaping around it. It's been there for a long time, and we'd prefer not to move it. This particular application doesn't address the SAI. It is for the new cabinet, and that's what I would ask for your approval for this evening. I'd be happy to stand for any questions. We've reviewed the stipulations and certainly concur.

Comm. Roberson: Could you give me some idea of what the cost is to move the box?

Mr. Carroll: I'll certainly ask my engineer. Depending on what we call T-1 lines, high capacity circuit lines that are in that particular cabinet serving customers around there, and I don't know what's actually served out of there, probably about \$90,000, a little less than \$100,000 to move it.

Comm. Roberson: Thank you.

Chairman Rohlf: Anyone else have a question for the applicant? All right, thank you. Any further discussion or comment? This case does require a public hearing. Is there anyone in the audience that wishes to speak to this case?

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

Chairman Rohlf: Now we will move to further discussion and hopefully lead to a motion on this case.

Comm. Conrad: I appreciate the applicant's answering the question. I think my question was just as we have these and we've struggled with their locations, I think we've taken some opportunity in some of these installations to try to group them together if it was at all possible. It may be the opportunity to take it. I see there are a lot of trees on the other side, and maybe that doesn't work. I just want to make sure that we've looked at the options to try to clean the streetscapes and the sidewalks. It creates a little bit of a tunnel between the two, but I certainly understand the economics and those things. It would be a preference, but I'm not going to vote against it in this instance.

Motion to approve Case 125-07 was made by Roberson and seconded by Jackson. Motion approved 6-1, with Elkins voting in opposition to the motion.

CASE 126-07 CAPITOL FEDERAL SAVINGS – VILLAGE OF SEVILLE – Request for approval of a final plan, located at the northwest corner of 133rd Street and State Line Road.

Staff Presentation:

Mr. Klein: This is case 126-07, Capitol Federal at Village of Seville. The applicant is requesting approval of a final site plan for a one-story 3,070 square foot bank with a drive-thru at the northeast corner of the Village of Seville development. The preliminary site plan for this project was approved by the Planning Commission on August 14, 2007 and by the governing body on September 3, 2007. When the Planning Commission saw this case previously, it was actually in conjunction with a number of pad sites that are out along State Line Road. This is the one that is the furthest to the north. With that application, there were some concerns about circulation. However, most of that centered around a drive-thru restaurant that was in conjunction with it at that time and not as much with the bank. The bank is proposing to have parking located on the south end of the bank. It will have a drive-thru located just off the west side of it. As you pull in through the drive-thru, the front of the car will be facing toward the main portion of the building looking at the tellers, and then it will turn to the south and exit into the parking lot.

The general layout of the building is exactly the same as what you saw in the preliminary. The size of the building is also the same as what it was in the preliminary. This building is very similar to the one proposed at Nall Valley Shops at 151st Street and Nall Avenue. The facing materials on this building are different to meet the development of Village of Seville, but generally the layout of the building is the same. Part of the discussion with that building centered around signage as far as the logo that was located there. If you notice in the stipulations in this one, the logo is actually recommended not to be approved with this, and the reason for that is that although this body approved that sign, it went on to the City Council and the City Council did not approve that sign. The applicant agreed that they would come back at a later date with a separate final site plan for the logo. So the stipulation basically states that whatever is decided with that separate final site plan application for the logo will be allowed to go on both these buildings, the one in the Nall Valley Shops at 151st Street and Nall and the one located within the Village of Seville. Staff is recommending approval of this case with the stipulations stated in the staff report. I'll be happy to answer any questions.

Chairman Rohlf: Just to bring it to your attention, there is a memo from Public Works on the dias on this case as well as our last case this evening.

Mr. Klein: That is the Public Works stipulations.

Chairman Rohlf: I think, Mark, there was a comment in there from the Fire Marshall about a circulating plan. Is that no longer at issue?

Mr. Klein: Correct. They actually did provide that.

Chairman Rohlf: So the circulation that we discussed at preliminary is really not an issue this evening?

Mr. Klein: Right, it was staff's understanding that really wasn't a concern with this building, and actually that entire case was approved by the governing body when it went forward.

Comm. Williams: Mark, explain to us your concerns with the amount of stucco on this particular design.

Mr. Klein: It's been a position of staff in a lot of the developments to try and keep stucco as much as possible an accent material, and I understand that varies a lot as far as the architecture of the building. I've had this discussion with the architect as well, and I'm sure he will be up here expressing his views, too. That is something staff has been concerned about in the past, and therefore we are carrying that forward. There are some exceptions to that, and if you look through your packet there the very next case has a whole lot of stucco on the building. However, that entire development was centered around and approved with a Tuscan architectural style. So staff wasn't holding that to the same accent level, but basically it's kind of trying to maintain more natural materials: stone, brick, more masonry style.

Comm. Williams: So if we were to compare this to the Office Max that is there, Office Max has a lot of stucco. Go down 135th Street to Park Place. A lot of those new buildings have a lot of stucco on them.

Mr. Klein: Sure, and we're just trying to make sure that there is a limitation, I guess, as far as not too much stucco. It's been determined that an accent is approximately about 22 percent.

Comm. Williams: I hear and respect your concern about the stucco. We've obviously had these discussions before. I think one thing that is a big issue on this design that maybe sets this one off from some of the others is the design, the massing, the overhangs, the shadow, the detail that's on there that really begins to diminish that impact of 30 percent or 35 percent stucco. Again, just comparing it to Office Max, I'm not sure how tall those walls are. What, 20 feet or 24 feet high?

Mr. Klein: Right, probably about 24.

Comm. Williams: It's a solid mass of stucco in some cases. Thank you.

Comm. Elkins: Mark, I realize it's going to be through your eyes, but can you give us just a little bit of flavor of what the City Council's discussion was on the logo when they overruled us?

Mr. Klein: It actually stems back for a long time, even through some of the previous Planning Commissions that were here, as far as if signage is going to be approved with a building. Logos have always been kind of one discussion as far as whether logos should even be allowed or not, that they need to be incorporated as part of the architecture of the building. I think the City Council's concern was that although this was about a half inch thick, they felt like it was more of an applied application as opposed to a part of the architecture. There was also a concern, too, as far as Nall Valley Shops, which was the one that was being discussed with Capitol Federal where the sign was an issue. Walgreen's had in the glass area over the main entrance a mortar and pestle that were located there, and it was also more or less an applied application, and the governing body really has not tended to like that type of look.

Comm. Elkins: So was that mortar and pestle not approved?

Mr. Klein: Actually yeah, it was not approved. It was put up, and they were required to take it down.

Comm. Elkins: I'm just trying to put some of our previous discussions a little bit in context. It seems like we've had a lot of discussion in the past commission meetings in the context of other applications about the use of cultured stone versus the use of real stone. I'm not sure what the right term is. I'll call it real stone. I noticed that this is proposing a fair amount of cultured stone. Can you kind of put that in context as to when it is the city thinks that cultured stone is okay.

Mr. Klein: Basically staff's opinion has always been fairly straight forward. We prefer real stone just from the applications. When cultured stone first came out, staff was actually very excited, because pretty much what we saw is we had brick and we had stucco, and there really wasn't a whole lot else. Then you had some sort of mixture of those two along with the glass, and then

cultured stone came out, and it really opened up a whole new world as far as the look on the building that you could have. So staff actually embraced it when it first came out. While we were embracing it, we had a number of developments come through. Village of Seville, I believe, is one of those. We also had Villaggio. Corner Stone is another one in which they proposed this cultured stone and were approved as part of the design guidelines. Then we started noticing as some of these developments went in, when we'd go out to do site inspections we'd see the cultured stone either lying on the ground or being chipped and broken. I think staff has tried to relate some of their experiences of what we found.

Again, we're told that it's an installation problem, and that may very well be except for the fact that it seems like we're seeing it a whole lot on the cultured stone. I'm not sure if maybe just there's not as much care taken as far as installing it, but we've seen it on more than one development with cultured stone. We've seen it on Corner Stone. We've seen it on Iron Horse Center. So staff then started changing their mind and saying maybe real stone is a better solution to this issue.

In that process as well, when we started having these concerns about the cultured stone, we started asking developers; we started asking architects. What do you think of the cultured stone? Do you think it's a good product? We've seen these problems. What do you think? And to be perfectly honest with you, we got a lot of them that seemed pretty skeptical about it, and that sent up some red flags for staff. Obviously we're not architects and we're not experts in the field of cultured stone versus real stone, but we tried to investigate it as much as possible. We visited Sturgis who sells rock and cultured stone and tried to get a feel as far as how it was made, what they thought the durability of the material was. After talking with them, staff just feels a lot more comfortable with the cultured stone, especially as you look at long-term. If these buildings are going to be lasting 50 years, the cultured stone, if it does get chipped or broken, we've been told by a couple of architects and somebody at Sturgis that if you have a large portion of this get broken or chipped, to make it look like the surrounding façade you're going to have to go in and almost have an artistic painting to make sure the modeling and everything blends in with the rest of the cultured stone. Whereas a real stone, if you break it, it still looks pretty much the same on the inside of the stone as it does on the outside of the stone.

So the reason why you're seeing this not being called out as an issue by staff for Village of Seville and Villaggio, which is the next one, is because their design guidelines actually have cultured stone as part of the design guidelines. Staff didn't feel like it was fair at this point to all of a sudden pull that back.

Comm. Elkins: Thank you, Mark.

Comm. Reynolds: When this came through previously, Mark, I think we had some discussion about simplifying the parking lot design and circulation. I think you mentioned that, correct?

Mr. Klein: Yeah, actually circulation was a concern. Again, it was staff's impression that a lot of the concern actually had to do with the fast-food restaurant that was a little bit further to the south where a lot of it was coming from and not so much with the bank. In fact, I think there was a couple of planning commissioners who made a statement that they're really a little bit more concerned with the fast-food restaurant. That case did proceed on to the City Council. Those concerns were raised again; however, it did receive approval. I would imagine when the building to the south, the fast-food, comes forward, that will be addressed. If you have any concerns with this one, now would be appropriate as well.

Comm. Reynolds: Okay, and I guess I'll wait for the applicant to ask him. Yeah, I have concerns with the situation.

Comm. Conrad: Mark, I'd like to follow up on the cultured stone just a little bit. It was about two weeks ago, I think, we had a discussion about this, and I think we asked for that applicant to change to real stone. Will we see that one come back?

Mr. Klein: I don't think so. That was actually the One Nineteen development, which didn't have any cultured stone as approved with that overall development. That was part of the reason why staff took a strong stance, too, on that. It wasn't already approved with that development. There was an opportunity to ensure that the real stone came in but the cultured stone did not.

Chairman Rohlf: Anyone else? All right, then we'll hear from the applicant please.

Applicant's presentation:

Scott Bixler, WDM Architects, Wichita, KS, appeared before the Planning Commission and made the following comments:

Mr. Bixler: I've got a site layout here plus some elevations on the back side of that I can share with you if you'd like. I appreciate the comments relative to some of the elements. Relative to the four staff comments that are listed, we certainly understand about the sidewalk connection, and that was an oversight on our part. We will have a connection from the entryway, which is located

right here. We have a connection that goes up to this sidewalk, and actually what Mark had asked us to do is create a connection between here and this sidewalk out here, and we had no issue doing that at all. It was an oversight on our part. At the particular time that we were looking at it, we also didn't know the final grades, so we had no issue doing that at all. That's not a problem.

Currently the biggest issue that we have is in the stucco area as well. In this particular area up above right here and right here, this is the stucco that's on the upper portion of the building. Actually this is the same proportion of stucco that we have in the Nall Valley shops. It's exactly the same. But we also felt because stucco is such a great part of Village of Seville, which is a little bit more Tuscan in feel, that it was very appropriate. We certainly didn't design this to 22 percent. We designed it to aesthetics, and that was the reason that we ended up with what we've got. So we really would like to see this stucco continue on in the same proportions as we've got shown here.

The signage piece, that's not a problem. We'll come back and get that settled. We'll work that out. I think we understand the criteria, but we'll certainly make it more part of the architecture of the building per what Mark was talking about. I'm not sure exactly what that means, but I think we can figure that out. Either way, we've been told from the City Council that we could have the large emblem, the logo, and the signage on the two ends like you had approved for us, so we're hopeful in that. We'll just come back with an application for that signage.

Then finally the art piece which is on your site plan is an art piece that was requested by the developer, and you can kind of see it located right in this particular area. The little art piece is right down in this area on the site plan just opposite the entry. He had requested a fountain and a bronze, and we really didn't have to put it there. Our concern was if we put it out by the corner, we have a lot of traffic that's moving up and down in that area and it seemed a little bit out of place right there on the corner. So we pulled it up closer to the entrance of the building where actually the building itself could benefit from the artwork. We do not have that artwork as of yet but certainly will bring it back to staff for their approval. Any other questions? We're excited about getting going.

Comm. Reynolds: I think the building's great. I love what you've done on all accounts. I wish the site plan was equally as strong. I'm really concerned with the fact that these driveways have this funny jog, and not only that, they have these funny angles. Is there a reason why we can't clean up the geometry of this parking lot? You know where I'm talking about? Just to the south of your front door.

Mr. Bixler: First of all, the orientation of this drive right here, this is the circular drive. We've actually bent it a little bit more so it will align straight on with this, so there's a little bit more of an alignment. This is the drive-thru component. We do have signage right here that allows this drive-thru participant to slow down and stop right here. It's all very open, but we didn't feel that there would be much constraint right here to be quite honest. We felt the flow was very straight forward and very similar. We've got another access point down here. There's access all the way up and down this other area. We really didn't see that this was a major area of concern.

Comm. Reynolds: Your rendering maybe looks a little different than the engineering drawings that are in the pad. Maybe there's been some updates or something in that regard.

Mr. Bixler: There has been three updates. They're in the radiuses right here. The radiuses along this area, this area and this area have been increased to a 20 foot radius just to allow for the fire truck to come in without having to roll over those corners.

Comm. Reynolds: It looks like as you wrap around the circular parking that the south curb line, on my drawing it shows a straight east-west curb line on the south side.

Mr. Bixler: Here?

Comm. Reynolds: Right. Right there it looks like you've curved it on that drawing, but this drawing shows it as more of an awkward geometry, I guess.

Mr. Bixler: We certainly intended for it to be curved like this and to start the lineup with this entryway, which by the way is across from this entryway, which was a request. So we tried to clean it up. We really didn't feel that there was much issue there.

Comm. Reynolds: Is there some reason why you wouldn't just even clean up that? It would be so easy just to make your parking lot arch.

Mr. Bixler: Pull it down here?

Comm. Reynolds: Yeah, why wouldn't you just let it line up and not have all the funny angles and curves?

Mr. Bixler: Well first of all we thought it added to the design of the facility and to the site. Secondly, we wanted to get the parking closer to the entryway, and that is ADA parking that's right up here. We wanted to get it as close as we possibly could. Again, we just didn't feel that there would be a major issue there.

Comm. Conrad: To follow behind Commissioner Reynolds, it would be great if we could come up with a little bit more. There's some 135 degree turns and some pretty interesting negotiation, kind of a five-way intersection at the one place. I know it's tough. I guess I would ask the question as did we study some other options? I think that was one of the things that we had hoped to maybe do. It's in the same way as the SAI box. If we made an effort.

Mr. Bixler: We did make some effort. The only additional scenario was to eliminate some parking. From a banking standpoint, we do not need this much parking. We had no issue with reducing some of the parking to help alleviate that. The developers themselves had an issue with it since there is cross-access. They wanted to make sure that we had the same amount of parking that we had shown early on. We certainly do not need it, but I think we felt very comfortable that the people use this particular lane right here. We only have 10 or 12 parks up there, not a lot of participation going inside the bank. There is at the drive-thru, but again it's still not as strong. You still get into internet banking today, and some of your traffic to the bank becomes less and less and less. On the other hand, we just felt with the appropriate signage in these areas that we wouldn't have any problem. We didn't feel we would have a problem at all.

Comm. Conrad: If I try to draw the center lines of two-way traffic, it certainly becomes difficult. Onto the signage then, I guess my question is that you've got three signs. One of them is a Do Not Enter or One-Way right there.

Mr. Bixler: And then there's a drive-thru component, I believe, up here some place.

Comm. Conrad: The one that is in the south entrance that just says lobby and parking.

Mr. Bixler: That is down here?

Comm. Conrad: Yes. Is that one that you think you need to have? I mean Lobby and Parking, or could it just be Lobby. The parking part is obvious.

Mr. Bixler: This was a suggestion of our signage organization that put the package together. We have it there because it's just a direction. If we need to get rid of that, I don't think I would jump on the sword just to keep that, because I do think it's going to be rather obvious where we're at. Any cue that you can give a consumer, I think, is very helpful.

Comm. Conrad: I think we try to minimize them and make them as clear as possible. The parking is pretty obvious. I wonder if you're going to have one that has Lobby and one that has Drive-thru so that they can be visually seen together, would it be good to move the Drive-thru sign to the south side of that entrance?

Mr. Bixler: Right in here?

Comm. Conrad: They're in closer proximity to each other.

Mr. Bixler: Or back in here?

Comm. Conrad: No, the lobby would be north of the south drive.

Mr. Bixler: Right there.

Comm. Conrad: And the tellers would be south of the north drive. Just a thought.

Comm. Reynolds: Can we tag team?

Comm. Conrad: Sure.

Comm. Reynolds: I'm reluctant to do this, but it's so much easier to draw. This is the issue that Ken and I are talking about.

Mr. Bixler: Can I come over there and look at it?

Comm. Reynolds: Yeah sure. If you can pull that curb line down, the center lines line up. It's just so easy it seems to me. The other thing is these four parking spaces that are right here flanked by two curb cuts.

Comm. Conrad: Yes, yes.

Comm. Reynolds: You're going to have cars all around them. Instead of making these people walk through this big oddly shaped intersection, why not pull those four spaces over here with the rest of the spaces? It's the same parking count. It's so much more convenient and safer, in my opinion.

Mr. Bixler: As far as flattening the curb out, this has not been flattened.

Comm. Reynolds: I think you're right. I think your drawing looks a lot closer. Otherwise you've got my full support. By the way, when you put the sidewalk between the main entrance and the State Line sidewalk, would you consider integrating it so that you walk past the art feature, so you can walk up to the art piece?

Mr. Bixler: Yes sir. I think that would be great.

Comm. Conrad: Thanks.

Comm. Reynolds: You have my full support.

Mr. Bixler: Wonderful.

Comm. Conrad: I'll take one more tag. This may be an opportunity if we could land bank. It's a drive-thru restaurant. As long as we had capability if we need the parking to put it in, but if we can take those four spaces, as Dennis was pointing out. You're going to be walking through a lot of traffic to get to those four. I'm in support, too. It's a tough site.

Mr. Bixler: Yes it is.

Comm. Conrad: It's a tough circulation.

Mr. Bixler: Actually I would agree that those four spots that are in this location right here, they are parks that the bank is never going to use. Now if we need them for the overall development, as long as you would be agreeable to land bank that in a sense.

Mr. Klein: Staff would be supportive of land banking it. They would have to demonstrate that there was need for that parking. It wouldn't just simply be a request and then they could put it in. We'd probably go out there at several different periods of time to see if it was actually justified.

Comm. Conrad: So to take it a step further, if you eliminate those four, could you eliminate that whole drive section? As Mr. Reynolds, I'm very supportive of that.

Comm. Reynolds: I would love that.

Comm. Conrad: That's my final tag.

Comm. Reynolds: That's good. That's good.

Comm. Conrad: I would leave that to staff and the applicant if they could possibly look at that.

Mr. Klein: This is a final site plan, and the general layout of the site has been approved. Now tweaking it and things like that to make it a little bit better, I think.

Comm. Conrad: But we always want to consider improvements.

Mr. Klein: Sure.

Comm. Reynolds: And we did have concerns at preliminary with this geometry.

Mr. Bixler: But we will flatten that curb out just like what you see up there.

Comm. Conrad: And land bank the four and take that piece of drive out.

Mr. Klein: Okay, and if you could add those as stipulations, then that would make it perfectly clear.

Mr. Bixler: So let me make sure I heard what you just said, that we need to take that drive out?

Chairman Rohlf: Are you suggesting this one here, Mr. Conrad?

Comm. Conrad: This piece right here.

Chairman Rohlf: Take it out?

Comm. Conrad: Well, do you need to loop back through there?

Chairman Rohlf: To the other existing buildings.

Comm. Conrad: You can go out to here and loop on this. There's a parallel drive.

Mr. Klein: I know we discussed a number of different alternatives at the time of preliminary plan, and there are some concerns.

Comm. Reynolds: It seems like you have an option to circulate either back on the main driveway or internal. It would be hard to imagine why you'd need three ways to move north and south through that area. It's just more places to have an accident.

Mr. Bixler: One of the reasons that our associate here brought it to our attention, our client actually, is that across the way here we have lined this up, and when you line those things up obviously there's traffic coming from both directions. In a drive-thru scenario if there was a lot of traffic spilling out of here and there was a tremendous amount of traffic coming out of here and backing up, this did give us a secondary way out through this drive-thru. Now I know you could turn and go this way as well, but we had basically put it in there as a flexible point and some flexibility. We would like to keep it in there if we could.

Chairman Rohlf: We'll give him that one.

Comm. Reynolds: Sure. You worked with us on the others. I'd be fine with that.

Mr. Bixler: Thank you. Any other questions?

Chairman Rohlf: All right, thank you. I know we've been discussing this already. Is there anything else anyone wants to add?

Motion to approve Case 126-07, with new and revised stipulations, was made by Reynolds and seconded by Elkins.

Comm. Elkins: Just a couple of comments. I'm very supportive of this particular plan, and actually I would commend the applicant. I certainly thought that their logo was an architectural attribute the last time around, and I'm sorry that the City Council didn't agree with that. I'm sure that we'll have something better down the road. I think we've made improvements on the flow. The only other comment I would have is on the stone. I'm still a little troubled by that. I'm persuaded by staff's comment about the fairness, that apparently when the development's overall plan was approved, it was approved for the cultured stone.

Ultimately, I guess, I've been persuaded by the idea that theories of fairness suggest that we should stay with that, but it seems to me that as we're building a community here that hopefully has a lifetime that extends beyond all of our lifetimes, that the real stone, the actual stone is something that has that lasting effect. I'm a big guy for technology, but I'm still just not convinced on this cultured stone that 30 years from now, 25 years from now, 15 years from now we're not going to see a bunch of sloughy stone and be stuck with the situation that Mark described about a chunk of it coming off and then having an owner try to make a decision whether they have to replace the whole thing or how they deal with that. I'll get off my soapbox now, but I'm still just persuaded that real stone is a much better way to go, and I wish that we had an option to pursue that here, but I guess we don't.

Comm. Reynolds: I should probably go on record, too, on the logo. Likewise I'm a strong supporter of how they were using the logo, and I may not be here when it comes back, so I want to be sure on the record. Great job on that. I hope we can get it approved for you.

Motion approved unanimously.

CASE 129-07 M&I BANK AT THE VILLAGGIO – Request for approval of final plan, located at the southwest corner of 135th Street and Fontana.

Staff Presentation:

Mr. Klein: This is case 129-07, M&I Bank at the Villaggio Leawood. The applicant is requesting approval of a final site plan for a one-story 5,862 square foot bank with a drive-thru on 1.33 acres. The bank will be divided between a 5,020 square foot first floor and an 842 square foot basement. The preliminary site plan for M&I Bank at Villaggio was approved by the Planning Commission on August 28, 2007 and the governing body on October 1, 2007. At that time, the building was a 6,005 square foot one-story bank with a drive-thru. The number of drive-thrus has remained the same since that time. The layout of the site is the same as what it was before.

The bank sits up at the northeast corner of 135th Street and Fontana. The drive-thru wraps around the east and north sides of the bank. There is a wall/ pergola structure that wraps the northeast corner of the bank. That was a feature that was shown on the final site plan for the overall Villaggio development that was located there, and that was done to screen the drive-thru as well as to meet the required frontage of non-paved areas no more than 40 percent.

At the time that it went through for preliminary, there were a number of deviations that were being requested. Those deviations were: allow a 21 foot parking/service area setback from the east property line - that is actually done to allow a bypass lane through the drive-thru and was something that staff requested to allow cars to go by; a 30-foot building setback from the east property line for the canopy; and an 18 foot exterior structure setback and a one foot interior structure setback for a garden feature. That's a little vague in the fact that garden features typically are allowed to go anywhere within the required setbacks for residential. It's not quite as clear on commercial, but again these same setbacks were shown at the time the final site plan for the overall Villaggio development went through. However, with those deviations that were being requested it was also stated that it would be up to the Planning Commission and City Council to determine whether they had met the bonus criteria to allow those deviations. In order to earn the criteria, there was an open space area located at the northwest corner of the building which the developer has provided. It's about 760 square feet in area. According to the calculations that staff did, they needed a minimum of 557 square feet. Within that area they have added a pergola structure and three benches that kind of wrap around a circular planting area. Across from that a little bit further to the west they've also added an urn that would contain some landscaping, and then they've provided some additional landscaping along the north side of the building.

This development was approved with the Tuscan style of architecture, and staff is supportive of this application as stated with the stipulations. I'd be happy to answer any questions.

Chairman Rohlf: Do you happen to have a copy of the design guidelines?

Mr. Klein: I do.

Chairman Rohlf: Just so we have them. I know you've asked for the applicant to discuss further about how it meets the custom designs. I just thought if we could have them handy that would be good. Thank you. All right, does anyone have questions for Mark?

Comm. Williams: Mark, on the signage for a moment, you're recommending the elimination of an illuminated ATM sign?

Mr. Klein: Correct.

Comm. Williams: Why?

Mr. Klein: Typically staff hasn't been really supportive on additional signage. They have the signage that identifies the building that is on the west elevation and the north elevation. Additional signage staff supports as far as directional signage, for instance to say here are the drive-thrus lanes, here's an ATM. Part of the reason why we weren't supportive of the lighted, it's kind of like a little box sign that's up along the canopy. It was more or less a lit sign. The Leawood Development Ordinance doesn't allow for box signs. It didn't seem like it was consistent with the other signage that was being proposed, which was a flatter style of sign. They already had a directional sign that was located on the ground, a pole-mounted directional sign that indicated where the ATM was located. That's the reason why staff wasn't supportive of that sign.

Comm. Williams: Okay, so a lot of your objection is the construction of the sign?

Mr. Klein: Part of it is the construction. If you look on the canopy, they have a sign detail where the rest of them were really more or less non-illuminated signs they were proposing. Staff wasn't even really quite as supportive of those either. It's just the extra signage that was up there such as Mercantile or which lane was for commercial traffic and that kind of thing, staff feels that most people know it's the inner lane that you would drive through for that. As far as the ATM, again they have that directional sign that was on the ground that indicated with an arrow where the ATM was located. Staff didn't feel like you needed an ATM lit sign up there.

Comm. Williams: I guess what raises my question here is I think every bank in Leawood has an illuminated ATM sign based on a review that I did over the weekend.

Mr. Klein: I did not drive around and look for the ATM's. I know I just did Solutions Bank that was up at 105th Street and Mission Road within the Mission Farms development, and they did not have an illuminated ATM sign.

Comm. Williams: Country Club, Town and Country, Mission.

Comm. Roberson: Bank of Blue Valley.

Comm. Williams: Yes. Commerce. I think the only one that I don't remember off the top of my head having an illuminated one might have been the Chadwick location. I think there was even something there.

Mr. Klein: If that was the case as far as illuminated signs, staff would prefer maybe illuminated in a different way, outside of a box that was sitting on the façade.

Comm. Williams: And you do see differences in the ATM signs as you go from one facility to the other. It does appear some of them are boxes, but there are some more built in and not boxes. I would agree to maybe looking at something that's built different would be appropriate but not just total elimination of it.

Mr. Klein: I do know the applicant has stated that they wanted to approach you tonight with regard to the ATM sign and also, as some banks have the lights, the LED's indicating whether a lane is open or closed.

Comm. Williams: Another issue that you had was the logo on their directional signs?

Mr. Klein: Correct. The reason why staff has not been supportive of that originally came with the Commerce Bank that's located in Leawood Commons. Again, it was when the Planning Commission membership was a little bit different, but at that time they showed that globe that the Commerce Bank has on all the directional signs. I think staff was not objectionable to it. However, the Planning Commission indicated that they didn't feel it was appropriate. Staff has more or less taken that same line since that time. You have identification on the bank as far as the main signs. Most people know which bank they're at, and just having additional logos and names on every sign that you can possibly get, it just seemed like more than what was necessary.

Comm. Williams: I'm assuming we did allow it at the Country Club Bank at Park Place? Because it does have logos on their signs.

Mr. Klein: The Country Club Bank at Parkway Plaza?

Comm. Williams: Yeah.

Mr. Klein: That I'm not sure. I know we didn't allow it on Solutions Bank. I know that Capitol Federal didn't propose it.

Comm. Williams: And then also I noticed a big point of discussion was the Church of the Resurrection, because they had a large logo that they wanted to put on their signage. They reduced the size of it and now have a logo probably three, maybe four times the size of what the applicant here is proposing.

Mr. Klein: Right, right.

Comm. Williams: That's a business transaction that we don't want.

Mr. Klein: Again it just seemed like additional signage that staff really didn't feel was necessary. I guess it was similar to the West Elm as far as when you have one sign, that's fine; two signs, that's fine; three signs, okay; four signs? Eventually when they start adding more and more and more signs, staff just feels like it's starting to look cluttered.

Comm. Williams: I guess in that regard, it must be a unique Leawood thing, because if you go to Overland Park, you go to Kansas City, Missouri, you go to just about anywhere around the city, and drive-in lanes have signs that indicate the business transactions. All right, thank you.

Comm. Elkins: Mark, on this business with the ATM lit sign, is there lighting around the ATM site other than the sign?

Mr. Klein: Actually I would imagine there would be some canopy lights that down-light within the canopy itself. I don't believe that there is any kind of lighting on the façade in that area where the other signage is located, but the applicant may be able to answer that.

Comm. Elkins: Maybe the question is a better one for the applicant. My question, and maybe the applicant will take a lead off this, is whether there are any sort of banking regulations or safety issues since people come to that particular facility lots of times when it's dark or when there's not other activity around. There may be safety issues that might be addressed by that lighted sign as well.

Comm. Conrad: These are box signs though?

Mr. Klein: No, actually the majority of them are not, and that's part of what staff's objection was to the ATM sign, that they were flatter. They were non-illuminated, and then you have the ATM sign which had more depth. It was basically a box sign. I understand why the applicant wants it to be illuminated, because if somebody's coming up at night they want to make sure that people are able to see that sign where the ATM is. However, it just didn't seem like it fit in with the rest of the signage that was being proposed.

Comm. Conrad: Well maybe the applicant can help point out, because there's also a clearance sign proposed.

Mr. Klein: Correct.

Comm. Conrad: But they're all shown on a different elevation. There's not a composite elevation of all the signs.

Mr. Klein: I don't believe so.

Comm. Conrad: We'll wait for the applicant.

Mr. Klein: Right.

Comm. Conrad: That's fine.

Comm. Reynolds: The staff asked us to comment on the Tuscan design, and to kind of relate to that, since there's not a maximum use of stucco requirement in here, that's because as you said...

Mr. Klein: Correct. It was approved with the Tuscan style. It's my understanding the Tuscan style incorporates quite a bit of stucco, and that was the reason why this was allowed to have more.

Comm. Reynolds: I must say I find the façade awfully flat. It has some details that are Tuscan, but I'm not sure it captures the real spirit of it. So I guess I'll defer until the applicant comes on board at least until we understand why we're poking around. I think there's good concerns that you flagged for us here.

Chairman Rohlf: All right, anything else for staff? Then let's hear from the applicant.

Applicant's presentation:

Joe Shortreed with M&I Corporate Real Estate, 770 N. Water Street, Milwaukee, WI 53202 appeared before the Planning Commission and made the following comments:

Mr. Shortreed: I'll introduce Bob Meyer with 360 Architects, who filed as the applicant on our behalf. Since we are requesting approval of a final plan for a 5,862 square foot bank branch with three drive-thru lanes and a bypass lane in the Villaggio development. I'll introduce Bob who can walk through the drawings and site plan, and then we can revisit the signage if you'd like.

Bob Meyer, 360 Architecture, 300 W. 22nd, Kansas City, MO, appeared before the Planning Commission and made the following comments:

Mr. Meyer: I'll go through this fairly quickly, because I think we've hit on a lot of the points that you want to discuss. Just to explain the site plan, there are three elements here that obviously are important: the building itself, the pergola or trellis that is actually shielding the drive-thru area, and then the amenity or the bonus area that was mentioned before. I would like to note that within this drive-thru there are two drive-thru lanes. There's a passing lane here, and the ATM is on the northeast corner of the building, so it's out beyond the actual canopy of the drive-thru. Within the site plan we're proposing to plant 67 trees, 306 shrubs and 190 perennials, so I think we have ample landscaping on this plan. The pedestrian walkways will be denoted by concrete pavers within the asphalt area.

On the elevation, the material that we're using primarily is stucco. There's a primary fill of stucco, and then within some of the infill areas where we have some arched casements we've got secondary stucco. We also are using everybody's favorite, cultured stone. We're proposing to use that, and the base of the building would be a cast stone with tile roofs with concrete pavers for the paved area, paver surfaces. A few of these views show the entry tower that we think is sort of distinctive of this development and Tuscan design, a pergola feature that would actually create shading and a walkway that is adjacent to the tower. This is a view of the bonus or the amenity area that we're providing with bench seating, a pergola, and a planted urn area. Then finally on these views shows the screening element that we are proposing, which is a pergola element with a low wall with a cultured stone and cast stone mixture. Actually I've included some wrought iron within that.

It sounds like I need to address what we think is the Tuscan design in this regard. Really based on what we evaluated from the design guidelines, we think this closely approximates a lot of the initial design elements that we've seen in the handbook. I think one thing about Tuscan design is that it's usually very simplistic façades that do not have a huge amount of ornamentation. They do have a lot of deck to them, and I think that's what we're proposing here with the punched openings. We're proposing classic arched windows, and we also look at Tuscan designed architecture as something that is based on a wood frame system, and we have a lot of exposed timbers that are at the eave lines, so we've exploited that on this building as well. I think overall just providing a lot of amenities for pedestrians and providing pergolas and things like that to create some depth within the building structure and onsite tie the site together. I think it sort of adds to that, but I'd be welcome to listen to any comments that the commission may have on Tuscan design.

Chairman Rohlf: Did you want to talk a little bit more about the signage, or do you want that to be someone else?

Mr. Shortreed: In regards to the signage, as Mark mentioned, there are some concerns on that. I think from Mark's standpoint on the identity or branding, we're certainly willing, as far as the directional signage, to comply or be in line with the other banks in the area, a more simplistic sign to work with the developer and staff and as far as the signage on the ground and something in conformance with the other banks, use a very simple LED to designate the lane. As Commissioner Elkins mentioned, the safety

issue was trying to line them up in the right lanes for ATM rather than getting to the wrong lane and trying to cut over from lane three to one. I don't know if Bob has that site plan. That's something we're certainly going to look at as more simplistic. As you mentioned, all the branding and logos are on all the signage to keep the directionals more simple and in conformance with the development. For a safety standpoint, as you mentioned, if you're an ATM customer, lining up in that lane as designated rather than, as some banks are, on the outside, lane three, so they're lined up properly and not in the wrong lane by mistake and then try to cut over or something like that. So we're certainly willing to look at our signage options.

Comm. Roberson: In terms of your ATM, do I understand correctly that it's outside the drive?

Mr. Meyer: It's right here.

Comm. Roberson: I understand, but it's outside the overhang?

Mr. Meyer: That's correct.

Comm. Roberson: And it's in an inside drive-thru?

Mr. Shortreed: No, the service part of the box is inside the building for servicing. The customer transaction side is on the outside.

Comm. Roberson: Can you reach it by a car? I mean is it a drive-up ATM?

Mr. Shortreed: It's a drive-up, yes.

Comm. Roberson: So if I'm a business customer, I have to wait for my ATM client or the customer in front of me to transact business?

Mr. Shortreed: The one thought we're looking at is to eliminate the business transaction on that lane or make it ATM.

Comm. Roberson: If I'm looking at a teller, I have to sit there and wait while somebody is futzing around with the ATM?

Mr. Shortreed: Understood. Two schools of thought with that...

Comm. Roberson: I don't understand.

Mr. Shortreed: On a typical branch, we do not put a transaction there and just do an ATM only. Some locations want the business transaction and ATM in the same lane. Corporate standard says it doesn't make sense, but the argument we get from local bank managers is that an ATM transaction is shorter than a business transaction. Your point is well taken.

Comm. Roberson: I've been in banking for awhile, and I don't know that I agree with that one.

Mr. Shortreed: Your point is well taken. On a corporate side, we are moving...

Comm. Roberson: My concern is two-fold. You've got an outside ATM that's not protected from the weather apparently, so for customers obviously it's going to be an inconvenience, which is your issue, not mine, quite frankly. But the other thing is we talk about safety. Is there an ability to walk up to that ATM and transact business from the outside at night or even during the day?

Mr. Shortreed: It would be further out of the drive lanes. If somebody were to get out of the car, we could not stop them from doing that. It's intended to be a drive-up site.

Comm. Roberson: Could drive up the sidewalk or anything to...

Mr. Shortreed: No, it's intended to be a drive-up ATM.

Comm. Roberson: Is there an ATM inside then, too?

Mr. Shortreed: No there is not.

Comm. Roberson: Okay.

Mr. Shortreed: But we are looking at extending the roof overhang in that area to provide some protection there, extend the overhang in that area and add some lighting for that.

Comm. Roberson: Again, I assume you all have looked at this, but that means that they would have to have exterior lighting of some sort on the outside of that for the evening time.

Mr. Klein: For the ATM?

Comm. Roberson: Yes.

Mr. Klein: Actually just personal experience, I think I've seen some ATM's where the light is within the ATM itself. That's what staff was more or less assuming was there.

Mr. Shortreed: There is a lit shroud, if you will, on that. We also do have the lighting for security and cameras on the ATM. There is adequate lighting for security purposes.

Comm. Reynolds: On the architecture, a few questions may be combined with comments. I actually think it's great that you have used the pergolas. It's a great tool, and that's going to really help the building a lot. The metal railings, the roof forms, the plantings, all those things are great. This is one of the first ones we've had an inside trash enclosure. It's truly integrated, so great in that regard, though you may want to think of some ballards or something to keep those trash trucks from tearing up your building obviously. But when you look at the original design guidelines, a couple of things come to mind. I just would throw it out there for your consideration. The window surrounds on your arched windows appear thinner and not as deep as what a hefty, robust Tuscan. It's a pretty simple thing to add a couple layers of EIFS or whatever to make that effect without adding cost. Another aspect was you have a lot of window openings on every façade. I understand you can't put windows everywhere in a bank, but you have the arches with no glass, and I guess to me it would be a lot more believable if at least it was more of a contrasting color or even a contrasting material to really help those have at least some sense of depth. Then the third item, the design guideline shows a horizontal rustication, which I think was very effective in the renderings, and it would be another way to break up some of your flat EIFS surfaces. I'd put the question, would you consider those three things as potential improvements?

Mr. Meyer: We do have rustication joints within the base stone. Are you suggesting within the stucco?

Mr. Reynolds: Yeah, I'm glad you're using the precast stone with the rustication, but the drawings show it even used on the stucco material.

Mr. Meyer: I was just going to point out on this section that it shows rustication joints at the base, but I think we could take that into consideration. I don't think they'd have a problem with that.

Mr. Shortreed: As far as the other areas of stucco where there's not a window, we've certainly in other locations put a spandrel glass in there, just a glass element to make it look as if it were a window. But there's not a window there, so you don't have a mass of stucco there.

Comm. Williams: With the exception you don't want to...

Comm. Reynolds: Yeah really.

Mr. Shortreed: I understand why you say that.

Comm. Reynolds: I think we'd prefer just an honest contrasting material.

Mr. Shortreed: That's fine, yes.

Comm. Williams: Like I said, you don't want to go there. It was last week with the restaurant.

Mr. Shortreed: That's been a solution, but it won't work here.

Comm. Reynolds: Even a different color or texture.

Mr. Shortreed: Yeah.

Mr. Meyer: Can I jump up to the material board? I think what we're looking at is this stucco material with this cast stone. Maybe that's not quite enough contrast.

Comm. Reynolds: You're right. There's not much contrast with your base precast stone and stucco, but I'm really referring to the material inside your arched windows to make it pop and give it some depth. Likewise just making the EIFS have a thicker depth to it, the trim around the window and more of a width so it has more of a robust appearance like the original design guidelines.

Mr. Meyer: Actually we're looking at this as being a cast stone.

Comm. Reynolds: Oh are you? I see.

Mr. Meyer: I think that would be a stone.

Comm. Reynolds: Well, that's good. Maybe it's not wide enough still.

Comm. Williams: To follow Dennis' points on this, give us more information on those arches. You say they're cast stone, but how big are they? How far do they stick out? What's the window depth? That information because none of that's in our packet.

Mr. Meyer: Yeah, there's a section here. What we were looking at initially is a six and a half inch depth stone back to face of aluminum, and then you've got another inch and a half back to your last face. So once you get back to the glass, you're at eight inches depth. I think we could probably consider doing it a little deep. I think there's probably some wiggle room within this detail. If that doesn't sound like it's deep enough, and I don't think, Joe, you would oppose that.

Mr. Shortreed: No, whether it's to the outside or set the windows back.

Mr. Meyer: Another thing we could do is instead of in center glaze, do glaze to the backside of the aluminum, and that would add even more depth. I think there is some wiggle room there.

Comm. Williams: And what's the width of the cast stone trim?

Mr. Meyer: The width of the cast stone trim, I believe we were doing it at six inches. I apologize. I don't have that detail with me.

Mr. Shortreed: The face width?

Comm. Williams: Face width.

Mr. Meyer: Yes, the face width here. I believe it was six inches, but we could consider. If that seems a little lean, something that's not hard to revise. If that's the recommendation, I think we could certainly consider doing that.

Comm. Williams: Typically how wide are the window openings?

Mr. Meyer: I think they're six feet. I apologize.

Mr. Shortreed: Our standard model is five or six feet.

Mr. Meyer: I believe it's six feet with the dividers, so we would have three-foot panes.

Comm. Williams: Well I'm beginning to think that with that kind of proportion, the six inch base width and eight inch or even deeper depth on the window will begin to make those façades pop out and give it some good shadow line, some depth. I like that myself. I agree with Dennis that on the areas where you've infilled with stucco just to get more of a contrast. It separates out from the cast stone.

Comm. Reynolds: I'm not sure I heard you comment on the notion of where you have the big flat EIFS surfaces. You've got some pretty minimal scoring as opposed to something again more like the design guidelines. Are you working with staff to explore adding some?

Mr. Meyers: Where there's some rustication? Sure. I don't think that's a big issue. I don't think that's a design issue that I would arm wrestle over.

Comm. Reynolds: I'm sure you can be creative and make it look great and more consistent with the original. I don't think it's really that much, if any, cost to you.

Comm. Williams: Just for the record and clarification, we're actually talking that these façades are stucco, not EIFS?

Comm. Reynolds: Is that right? It's real stucco?

Mr. Shortreed: It's real stucco based on our preliminary.

Mr. Meyers: I think that was part of the design guidelines that the major fields had to be real stucco. Accents could be worked separately out of the EIFS products.

Comm. Williams: Great, thank you.

Comm. Elkins: Just a question on the detail of the trellis screened drive-thru. It looks like you've got the trellis built on a wall. Is that wall concrete with the cast stone façade?

Mr. Meyers: Are you referring to this wall?

Comm. Elkins: Yeah, the picture to the left is the one I'm looking at.

Mr. Meyers: This right here.

Comm. Elkins: That wall.

Mr. Meyers: Yeah, I'm not sure what the structure material would be on the veneer. It might be concrete, or it could be block. What we're looking at for veneer is below the columns we would do cast stone, and then the infill between these would be the cultured stone. That just sort of mimics or goes back to this drawing, which is in front of the building we have this pergola. We have cast stone, but we don't have any need for a wall infill, so it sort of ties back into that piece.

Comm. Conrad: On the elevations, if we could just address the signs. I'm looking at A200. So these elevations reflect all of the M&I bank signage. There's only two locations. Is that true?

Mr. Meyer: They reflect the logo signage.

Mr. Shortreed: Yeah, our main signage, one facing to the west over the front door on the tower and then facing to the north from the drive-thru facing 135th.

Comm. Conrad: And then on the south elevation to come back to the sides over the drive-thrus, there really are three separate signs in that lower right hand elevation. So there's the business transaction sign, there's an ATM sign and a clearance sign proposed on that elevation?

Mr. Shortreed: Correct.

Comm. Conrad: The clearance sign is not lit?

Mr. Klein: Actually I called this sign.

Mr. Shortreed: On the left side of that lane one would be a big [*inaudible – off microphone*] pass through at that lane. Adjacent to that was an ATM sign. If we delete the transaction drawer there, we would just have an ATM sign for that lane. This is the corporate identity for that signage. Our bank equivalent provider does provide a standard, more generic sign that's not corporate identity. We also had a clearance sign. These two signs, the ATM and business transaction, would be lit. The clearance sign just in the center lane, which we felt would cover all three lanes, would be flush to the wall, and we would propose non-lit.

Comm. Williams: And it would not be lit?

Mr. Shortreed: No, it would just be an aluminum or a plate sign attached to the canopy.

Comm. Conrad: Then you think there will also be red and green lights incorporated?

Mr. Shortreed: Correct. From our bank equipment supplier, just to designate lane open, lane closed. We could certainly simplify the whole thing and do an ATM very similar, as you mentioned, on the drive-thru, like a small LED red and green and an ATM sign very much like the bank across the street or within the city.

Comm. Williams: I don't necessarily have a problem myself with the design of the ATM sign. I think if you're going to have one, it should be lit like everybody else does. I think it's appropriate because you're going to get traffic in there day and night. I share Mark's concern about the box sign, but I ask, can that box be recessed into that stucco?

Mr. Shortreed: Sure, we could recess that.

Comm. Williams: So that would solve the box question. Then it's just a question of whether or not you can put the sign up here. The more we talk about that lane serving business and ATM, I think you almost have to have the ATM sign just so people know exactly where they're going.

Comm. Reynolds: You've got to.

Comm. Williams: Then it's just a question of whether or not you go with your business transactions, but again in this setup I think you almost have to have that definition so that people don't get in the wrong place and clog up the lanes.

Mr. Shortreed: Just as a last item here as far as the directional signage when you come in, we did have a small logo on there, and we'd certainly work with the development. There was basically a Do Not Enter to keep traffic from coming through the exit of the drive-thru and then just a directional sign when you come in the main drive to get to the lobby or to the drive-up ATM. It's just a decision point whether to go to the left side of the bank or the right side. Certainly we can do a more generic to comply with the development guidelines.

Comm. Williams: But these logos on these signs, if I'm reading this correctly, logos two inches high?

Mr. Shortreed: That's correct, two and seven-eighths.

Comm. Williams: And it would be approximately then four inches wide, maybe four and a half?

Mr. Shortreed: Approximately, yes.

Comm. Williams: So we're not talking a very big sign here.

Mr. Klein: Correct.

Chairman Rohlf: Would we have to spell this all out in a stipulation, or would you feel as if we were at a point where we could get this resolved with the applicant so that we could modify the stipulation that says basically the applicant will work with staff on the sign issues? Or do we have a sticking point?

Mr. Klein: The Planning Commission has obviously changed over time as far as membership and views and things like that. A lot of our direction in the past has been to limit the signage. I guess it's staff's opinion on the directional signage that we would prefer just a nice simple how to do what it's meant to do as directional and not have the bank logo, because you know which bank you're at or generally you typically know which bank you're at. I can certainly understand your points as far as the ATM sign and the clearance sign and the Mercantile sign and things like that. That's more informational; however, if the Planning Commission is changing, it would be nice to have a direction from the Planning Commission so staff in the future reviewing these would know what was being looked for. So a stipulation is what I would be more comfortable with to tell you the truth.

Chairman Rohlf: Would it be appropriate at all to have them come back with just this component like we asked on the logo for Cap Fed? Could we do something like that? I think it's kind of hard to put everything in a stipulation without seeing what that could lead to.

Mr. Klein: That would be up to the applicant if they are willing to do that. The Cap Fed, that's more of a major component. It's certainly much more visible and something that was definitely going to be seen.

Chairman Rohlf: We have a number of signage issues, different components, the elimination. It's going to be an inset or a box, or maybe it would just be easier to bring that component back.

Mr. Shortreed: Certainly I wouldn't want to hold up approval just on this item.

Chairman Rohlf: Right, I know.

Mr. Shortreed: This just recently came up. We'll do more homework and study on this and work with staff and bring that element back for review.

Mr. Klein: Staff certainly understands Commissioner Williams' suggestion and agrees with it as far as the box sign with the ATM. It makes a big difference to us if you have a box that's just stuck on and surface mounted when all the rest of it is much flatter to the building including the main sign. If you could recess that in where it has the look, and staff certainly understands the reason for the ATM sign being illuminated, because you have customers both at night and the day. Part of the reason why staff went with the direction it did, too, is because we had that other directional signage that also said ATM, and we weren't sure if maybe it would be possible to uplight that or something like that.

Comm. Roberson: [*Inaudible – two speaking at once*] I have no problem with eliminating the M&I logo on what I would consider the directional signs. I think that's appropriate. I think the other issues that we've talked about, the reset ATM is appropriate, so I'm not so sure – maybe I'm wrong. I'm not sure we have a big issue here on signage.

Comm. Jackson: Madam Chair, if you look at stipulation 20, I think you could take out A and B, maintain C and D, and then add one that said drive-thru lane signs are to be the ATM, the business transaction, and clearance signs and shall be recessed into the stucco. Would that clear it all up, or are there others?

Chairman Rohlf: I think it's a good starting point if that would be sufficient for you, Mark. I just don't want to get into a situation where they come back and nothing's been resolved.

Mr. Klein: Sure. My only concern is if they came back, I know the bank probably wants to go forward, and therefore some of the signage is probably definitely needed in order to have the bank function properly. That would be my only concern.

Chairman Rohlf: I noticed there wasn't anything specific in your stipulation 20 on the clearance sign.

Mr. Klein: I think staff is fine with the clearance. It's just for safety reasons.

Comm. Williams: I'd ask one question on the non-illuminated signage being the business transaction and the clearance. They're mounted different thicknesses from the face of the building. Is there a reason for that? Both of those are non-illuminated signs. They look like they're built the same way, yet one of them is thin and one of them is almost an inch thick.

Mr. Shortreed: They built the business transaction a little thicker just to match up with that ATM on that same lane.

Comm. Williams: Well it wouldn't match up if the ATM is six inches and the business transaction is only an inch.

Mr. Shortreed: Oh, wait, I'm sorry. I had the wrong drawing here. I apologize.

Comm. Williams: You have a lot of drawings. I can see you get confused.

Mr. Shortreed: I have a lot of paper up here. They could be the same thickness even with the ATM recessing. If that were approved, it would be all on the same plain now.

Comm. Williams: Madam Chair, I think we could probably address the signage with just some modifications that we have. I'm not sure it's that complicated.

Chairman Rohlf: All right, what about Tuscan architectural themes and the suggestions that Mr. Reynolds had. Would we need to incorporate those just for the record?

Mr. Klein: I think probably you've stated them in the record, I believe, unless there's an easy way for you. I'm sitting here as a non-architect listening to the rustication and the various terminologies, so if that was something that could be spelled out pretty simply so everybody kind of knew what it was, then I think that would be fine as a stipulation.

Comm. Reynolds: I think I can give that to you as a stipulation.

Mr. Klein: Okay.

Chairman Rohlf: All right, if there are no other questions for the applicant, maybe we can move forward with further discussion and perhaps a motion. Thank you. I know we've had a lot of discussion on several points this evening. Is there anything in addition that we might need to discuss on this particular plan?

Comm. Reynolds: Kelly, I thought you did a good job of summarizing the signage stipulation, but if we could add some verbiage in there that speaks to consolidation of those signs so we don't end up with a bunch of little signs next to each other, it would be helpful for staff and the record to show.

Comm. Jackson: Consolidation as far as ATM, business transaction and clearance sign?

Comm. Reynolds: Yeah, it seems like there ought to be able to be a little creative and not have three little bitty signs all next to each other. Maybe they can get their message delivered a little more simply.

Comm. Williams: Yeah, take the business one and the ATM combined as one sign. You can light the ATM piece of it and not light the business side of it.

Comm. Reynolds: Right. I guess I could try. Or Kelly, do you want to make a motion? Or I could make a motion and add [*inaudible - laughter*].

Comm. Jackson: Why don't you start and then if it needs changed, I'll jump in there.

Chairman Rohlf: Any other discussion, or are we ready for this?

Comm. Elkins: I'll make my comment now rather than after the motion's been made, because the motion's going to be a venture anyway, I think, in a positive way, not in a negative way. I think the discussion that we've had over the last two meetings about signs bespeaks a need that we need to take up with staff for perhaps a working session in the next year or so to talk about signs.

Comparing the Capitol Federal situation we talked about just a few minutes ago with this situation, and I'm not suggesting that we should deny this situation with the signs, but it shows a bit of the arbitrary nature of the approach that we're taking. With M&I their logo happens to incorporate their name, so therefore it's okay for us to have a big sign that's stuck on the building that says M&I Bank. But because Capitol Federal happens to have a picture as their logo rather CF as part of it, there's a different rule that we apply. I could make a lawyerly type argument that the M&I part ought to be made an architectural feature because that's the logo, and we as a city seem to be adopting a rule that says that the logo has to be part of the architectural features. There is just as a bit of arbitrariness about this that concerns me a great deal. As I said, I'm not suggesting to the applicant here that I have any objection with their main signage, but it just seemed like a good opportunity to point out the arbitrary nature of all this when you compare what we've just done with Capitol Federal and what the governing body has done with Capitol Federal. Yet because this happens to have letters in it that are stylized letters, it's all right for a sign. I'm just concerned, and again you take the last two meetings, and it seems to me like we need to revisit. Once we get massing and height done, we need revisit the whole signage issue.

Chairman Rohlf: That's a good point, Mr. Elkins.

Comm. Roberson: I couldn't agree more.

Chairman Rohlf: Be sure to pass that along to Mr. Lambers and we can perhaps get started on that. Any other comments before we make an attempt at this motion?

Comm. Williams: A point of clarification: on 20 you would keep what's currently C which eliminates the logo off the directional signs?

Comm. Reynolds: Yes, I saw no need to keep that. We'd be putting logos on stop signs and parking signs before we know it.

Comm. Williams: I guess I go with my colleague to my left here. Really to address that, it needs to get into the signage ordinance. Otherwise, it's just subjective and arbitrary, because we allow it for some people and in this case say no.

Mr. Klein: I understand your point, and that's part of the reason why staff wanted a stipulation is because that is the direction that I recall being given on previous buildings. I do understand what you said about Parkway Plaza; however, I can't recall that off the top of my head. So I don't know if that was something staff supported but the Planning Commission wanted or the governing body wanted. Signage is a very controversial subject in every city, and times change and the views change on signage. Again, staff is looking for some guidance from the Planning Commission as far as what they would like to see.

Comm. Williams: Well I for one don't have any problem with the logo at this size on the directional signs, but I'll support my colleague at the end of the bench on his motion.

Motion to approve Case 129-07, with modifications to stipulations 20 and 29, was made by Reynolds and seconded by Williams.

Motion passed unanimously.

Meeting adjourned.