

City of Leawood
Planning Commission Minutes
September 27, 2011
Meeting - 6:00 p.m.
Dinner Session – No Discussion of Items – 5:30 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160

CALL TO ORDER/ROLL CALL: Roberson, Jackson, Neff-Brain, Rohlf, Williams, and Ramsey. Absent: Pateidl, Elkins, and Strauss.

APPROVAL OF THE AGENDA:

A motion to approve the agenda was made by Ramsey; seconded by Williams. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

APPROVAL OF MINUTES:

Approval of the minutes from the August 23, 2011 Planning Commission Meeting and the September 13, 2011 Planning Commission Work Session.

A motion to approve the minutes of the August 23, 2011 Planning Commission meeting was made by Williams; seconded by Neff-Brain. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

A motion to approve the minutes of the September 13, 2011 Planning Commission Work Session was made by Williams; seconded by Neff-Brain. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

CONTINUED TO MEETING:

CASE 114-0 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT – SECTION 16-4.6 – PERMANENT SIGN REGULATIONS – Request for approval of an amendment to the Leawood Development Ordinance. **PUBLIC HEARING**

CASE 81-11 – LEAWOOD JUSTICE CENTER – Request for approval of a Rezoning from SD-NCR (Planned Neighborhood Retail) to SD-CR (Planned General Retail), Preliminary Plan, Final Plan, Preliminary Plat and Final Plat, located south of 117th Street and west of Tomahawk Creek Parkway. **PUBLIC HEARING**

CONSENT AGENDA:

CASE 88-11 – MARKET SQUARE – LIFE SPRING MED SPA – Request for approval of a Final Sign Plan, located at 3601 W. 133rd Street.

CASE 91-11 – MISSION FARMS – SASSY CHIC BOUTIQUE – Request for approval of a Final Sign Plan, located south of 105th Street and east of Mission Road.

CASE 93-11 – TOWN CENTER PLAZA – SUITE 2095 COLD SHELL ADDITION – Request for a Final Plan for a tenant finish, located north of 119th Street and east of Nall Avenue.

A motion to recommend approval of the Consent Agenda was made by Jackson; seconded by Roberson. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

OLD BUSINESS:

CASE 82-11 – TOWN CENTER PLAZA – 3 HOUSE BOUTIQUE – Request for approval of a Final Sign Plan, located at 4824 W. 119th St.

Staff Presentation:

City Planner Justin Peterson made the following presentation:

Mr. Peterson: Madame Chair and members of the Planning Commission, this is Case 82-11 – Request for approval of a Final Sign Plan for 3House Boutique, located at 4824 W. 119th Street in Town Center Plaza. The case was continued from the August 23rd meeting to further review the size of the letters on the awnings of the surrounding tenants. As requested, additional pictures have been taken and are included in your packet. As the awning sign for 3House had already been installed, the pictures provide an accurate comparison for the signage. The applicant wishes to add one wall sign and one blade sign in addition to the existing awning sign. The wall sign is proposed to measure 2 feet by 12 feet for a total sign area of 24 square feet or 4.8% of the store area and will be constructed of individual channel letters internally illuminated with white LED lighting. The numbers will have 5-inch aluminum returns painted black, and the faces will have 3M dual color film applied to the sign, flush-mounted to the façade. The frame for the blade sign currently exists and measures 15 inches by 29 inches. The applicant is proposing to change the face of the blade sign to advertise for the tenant, and the text will measure 5 inches by 24 inches. The sign will be double-sided, non-illuminated and applied with 3M black vinyl film to the existing white aluminum panel. The existing awning sign and lettering is not in scale with the proposed wall sign and should be reduced. Staff recommends a maximum of 12 inches and centering on the fascia. Staff recommends approval of this application, subject to the stipulations in the report. I'll be happy to answer any questions I can.

Chair Rohlf: The wall sign and blade sign are in compliance with the ordinance and Town Center development?

Mr. Peterson: Correct.

Chair Rohlf: So we are really just back to the awning in terms of size. I know we don't have pictures of the actual wall sign and blade sign, but could you give an idea of how the wall sign would look in comparison to the sign for The Children's Place?

Mr. Klein: I'm not certain, but it looks like it will be a bit smaller since it is only one line of text.

Comm. Williams: Do the Town Center development guidelines address awning signage and letter sizes or does our LDO address these?

Mr. Peterson: No.

Comm. Williams: You provided us with pictures of the adjacent neighbors on this. I visited the center, and a few stores down is a Gymboree sign in all caps that appears to be in the same scale as this 3House. Also, in that same area, Banana Republic is in all caps with a black awning. It is a bit smaller, but it is certainly larger than the 12 inches proposed here. Also in the same area is The Limited with two signs that are approximately the same size as 3House. As you round the corner, you see a much different awning design that has a much larger face; I would swear it is about 2 feet tall. Lastly is a store called Jessica McClintock,

and it appears to fill the entire awning band. I point those out because I wonder why we are saying that 3House is out of scale and too large when it doesn't seem to be any different than other tenants in the area.

Mr. Klein: Part of what staff noticed is some of the other business names you mentioned have larger names, so the letter size makes it look larger. Also, the letters are generally smaller on the awning than they are on the wall signs. Part of this also comes from meetings with the Town Center management with regard to revised sign criteria for that development. In those discussions, we talked a bit about the fact that there were no regulations with regard to awning signs and what they saw the purposes of the signs should be. Staff sees this as a pedestrian sign and not a primary sign and should therefore be scaled more appropriately.

Comm. Williams: I appreciate your comments and don't necessarily disagree, but the precedent has been established for these signs, and this proposal is not out of keeping with the other signs and is not in violation of any design guidelines. It is one awning, and we wish them well.

Mr. Klein: Again, there are other signs in the development that have not been regulated. Staff is just trying to help establish a new precedent with new criteria.

Comm. Williams: Wouldn't it be more appropriate to approve those guidelines and then address the signs as they come in?

Mr. Klein: I understand what you're saying.

Comm. Roberson: If we approve the 2-inch lettering, would the awning have to be replaced?

Mr. Klein: I am not an expert, but I imagine they would have to replace it. It may be possible to replace the fascia by sewing a new one on.

Comm. Neff-Brain: So they went ahead and made it this size and are coming in for approval after the fact?

Mr. Klein: Yes, the awning was already up. Typically, they would make an application, and we would indicate support of reducing the size.

Comm. Williams: Town Center approved this sign, though?

Mr. Klein: Yes.

Applicant Presentation:

Mary McCarthy, 3House Boutique, 612 E. 71st Terrace, Kansas City MO, appeared before the Planning Commission and made the following comments:

Ms. McCarthy: I am just here to hopefully get an approval. Do you have specific questions?

Chair Rohlf: At what point did you find out about sign criteria?

Ms. McCarthy: When we moved in, I was told that, because we are not a permanent tenant, we did not need a permit for the awning sign but that we would need one for the wall-mounted sign.

Chair Rohlf: That was a representative of the development?

Ms. McCarthy: Yes, it was Len. We did the awning and made the letters the maximum allowed by the Town Center development. They approved it, and we had it mounted. It was quite costly.

Chair Rohlf: So the awning – you didn't contemplate a wall sign and a blade sign at that point?

Ms. McCarthy: Not yet; we had not opened yet and were still gathering funds. We felt that would be the first appropriate sign to put up that we could afford at the time.

Chair Rohlf: I'm sure you were somewhat surprised at our meeting a few weeks ago, that you did need to come before us for approval of the awning.

Ms. McCarthy: Yes, and I apologize; if I had known, I would have taken the appropriate steps.

Chair Rohlf: If no one else has questions, we are back to where we were a few weeks ago on the appropriateness on the size of the letters on the awning. It is unfortunate that 3House Boutique was misinformed on what needed to be done. I think we may want to contemplate Mr. Williams' suggestion that we get sign criteria in place and not penalize 3House Boutique. Would anyone like to comment or make a motion?

A motion to recommend approval of CASE 82-11 – 3 HOUSE BOUTIQUE – Request for approval of a Final Sign Plan, located at 4824 W. 119th Street, deleting Stipulation No. 1, to allow the awning to remain as it currently exists – was made by Roberson; seconded by Williams. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

NEW BUSINESS:

CASE 86-11 – ONE NINETEEN – BALDWIN DENIM – Request for approval of a Revised Landscape Plan, located at 4573 W. 119th Street.

Staff Presentation:

City Planner Justin Peterson made the following presentation:

Mr. Peterson: Madame Chair and members of the Planning Commission, this is Case 86-11 – Request for approval of a Revised Landscape Plan for Baldwin Denim, located at 4573 W. 119th Street. The applicant is requesting approval to relocate a tree in front of the store to a parking lot island north of the tenant space. The tree is a 15-foot maple located within an existing landscape bed in front of the store. Similar beds are located along the entire north side of the One Nineteen development. The Final Plan was approved for the development in 2006, and it included landscaping. At this time, the project was reviewed comprehensively regarding its overall design, including landscaping. In staff's opinion, allowing the relocation of this tree will set a precedent for other businesses with landscaping in front of their store to request the same, taking away from the overall design of the development. Staff recommends denial of this application, and I'll be happy to answer any questions.

Comm. Williams: Do we know why they want to relocate the tree?

Mr. Peterson: I believe it is covering their wall sign.

Comm. Roberson: I assume other storefronts have trees covering up their signs. Quite frankly, it would have been nice to have pictures of multiple storefronts for examples.

Mr. Klein: A number of trees are located along the main center, and if you're off to the side, you can see the signs; if you are directly in front of the tree, the sign is blocked. This is an issue that many retail

developments have struggled with over the years. The street trees offer a nice atmosphere and shade, but the retailers don't like them because they block the signs. Eventually, the trees grow high enough so they do not block the signs. Staff is concerned about the precedent this removal could set.

Applicant Presentation:

Matt Baldwin, Baldwin Denim, 4573 W. 119th Street, Leawood, KS, appeared before the Planning Commission and made the following comments:

Mr. Baldwin: I've been a retailer in Leawood for eight years, and I operated my original location in Leawood. We removed a few trees in that location, and I went through the RED office to do so. You are talking about setting a precedent, but the tree obstructs the view from the customers. As a retailer who wants to be successful from a new customer, walk-in standpoint, the visibility is extremely important. This 20-foot maple tree is blocking a 900 square foot space. I have a five-year lease with an extension on it, so over the course of those years, this tree will just get larger. Relocating the tree and replacing it with a smaller Dogwood of sorts will keep the aesthetics. Landscaping is important to me as far as what I do as a brand and the experience of the clientele walking in to my shop; however, given the massive size of this tree, I feel we need to address it. RED is 100% behind me on this. I own Standard Style next door as well, and I want to keep the aesthetics nice.

Comm. Jackson: You would be willing to put in a Dogwood or something of that size?

Mr. Baldwin: Yes, I would consider something smaller. This thing is massive.

Comm. Jackson: How tall do you think a Dogwood would get?

Mr. Baldwin: I know the number of trees allocated to the center is important, so I'm open to anything that would work for you and would not obstruct the view to the customers walking by. Maybe it is something other than a Dogwood; that is just what RED threw out initially.

Comm. Jackson: Do you want something that will never get as high as the sign?

Mr. Baldwin: Yes, we've worked with a landscape architect firm who submitted the plans, so I would look to them for their expertise.

Comm. Jackson: If you move the tree to the left as far as you could, would it work?

Mr. Baldwin: If you move it to the right, it could sit in the column. We worried about moving it over because there was some electrical underneath. Moving it to the left blocks Habitat next door.

Comm. Jackson: There is already another tree on the right.

Mr. Baldwin: We are talking about swapping it out and replacing it with something smaller.

Chair Rohlf: Mark, what are the two ornamental trees in front of Standard Style and Habitat? I'm surprised this maple is sitting on an inside bed. Was that on the original plan?

Mr. Klein: It is, and there are a number of other shade trees located along there as well. It is not that uncommon in developments in Leawood to have shade trees throughout. For every ten parking spaces, a 4-inch caliper tree is required in addition to the street trees. There are also requirements for landscaping on the interior. Often times, we'll have shade trees in parking lot islands, too. These will still block the view

from farther out. It is difficult; I think it would change the look of the center if ornamental trees replaced the shade trees along the façade.

Chair Rohlf: I'm not sure relocating this would be very successful; I imagine the tree would die.

Mr. Baldwin: The landscape architect told us that it shouldn't be a problem in fall.

Comm. Williams: The Site Plan is a little hard to read, but how far down do we go from the shop in question before we hit another shade tree?

Mr. Coleman: About 25 feet.

Comm. Williams: If the plan is correct, we go down 75 feet to get to the next shade tree toward the walkway from the parking lot to the larger pedestrian plaza.

Mr. Coleman: There are 22 shade trees in the front of the center. Several are grouped around the central plaza and around the ends of the buildings. Then there are a few in the middle.

Comm. Williams: It would appear that half of those are along the actual building fronts.

Mr. Coleman: They are all along the building facades.

Comm. Williams: I am not counting 22 along the storefronts. I was trying to determine how many would potentially be blocking the views here. Has the tree been trimmed to provide better visibility of your sign?

Mr. Baldwin: We've tried it, and the picture is a good representation. It does not look good. I think they did a good job of trying to meet Mr. Coleman's requirements as far as trimming. This visibility is important to me. I've talked to RED about it, and I was told I would have to go through this process. For the integrity of the center, I believe the smartest thing will be to get a landscape architect and put in something that is aesthetically pleasing that is not hacked up, so to speak.

Comm. Ramsey: Have any of your customers indicated they can't find your store?

Mr. Baldwin: It is a new concept, and Standard Style has a great visibility, which I am piggy-backing on. I have also had lighting issues as well, and at times, it looks like we are closed. I am dealing with a lot of factors with people finding us. The sign has been a problem in relation to people finding us, other than people using Google Maps so they can find us on their phones.

Comm. Ramsey: Has anyone complained that they couldn't see the sign?

Mr. Baldwin: We definitely have had clients driving by who say, "Oh, I didn't know it was there." Because we have a connector in the back to Standard Style, they can wander over. We have gotten customer feedback that they could not find it.

Chair Rohlf: Are there other Baldwin stores?

Mr. Baldwin: This is the flagship store for the brand.

Chair Rohlf: Is it nationwide?

Mr. Baldwin: It is my brand; I started it in Kansas City. The products are all made in America. I wholesale to 33 men's shops nationwide. We were on the front page of GQ last week and have gotten a lot of great press.

Chair Rohlf: Have you started advertising yet?

Mr. Baldwin: Yes, I have advertised locally, and we have a nice viral database with Standard Style that we utilize as well. We've had some great press with Huffington Post, W Magazine and GQ.

Chair Rohlf: Your customers are primarily people who know of you?

Mr. Baldwin: Yes, and the interesting thing with being in a new location after being in Leawood for eight years is I am attracting a whole new customer base just because of the traffic patterns. Habitat is north, and Trader Joe's has brought a lot of growth and development. It is a perfect place for us to relocate the business. In relation to this, we are attracting new customers, and I just want to help continue that success.

Chair Rohlf: Does anyone else have anything for the applicant? Thank you. I don't know if anyone has a comment to make or has a sense about this.

Comm. Jackson: I'll go ahead and make a comment. It's a bit of a quandary. The thing that will continue to make that center a pleasant place to shop is the trees and greenery; otherwise, you just have a strip mall like any other strip mall in the area. I'm leaning toward voting with staff on this. As all those trees grow, all those signs have a little bit of visibility issue. People will know it's in there; it will be a matter of finding it. Once they get in the parking area, I think they will be able to find it.

Comm. Neff-Brain: I agree with Ms. Jackson. The tree has been there for five or six years now, and it was there and visible when the decision was made to move in. I hate taking trees out when the center needs to be broken up.

Chair Rohlf: Thank you. If there is nothing further, would someone like to make a motion?

A motion to recommend denial of CASE 86-11 – BALDWIN DENIM – Request for approval of a Revised Landscape Plan, located at 4573 W. 119th Street – was made by Jackson; seconded by Neff-Brain. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

CASE 113-11 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-3-9, DEVIATIONS – Request for approval of an amendment to the Leawood Development Ordinance.

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: Madame Chair and members of the Planning Commission, this is Case 113-11 – Leawood Development Ordinance amendment to Section 16-3-9 – Deviations - pertaining to interior property line setbacks. This was brought to a Work Session in order to get the Planning Commission's input. Most commercial districts require an interior property line setback, which are the property lines located within each development and are not adjacent to a public right-of-way. In the SD-CR, SD-NCR and MX-D districts, there is a minimum requirement of 10 feet for a setback for parking. In the BP district is a 40-foot setback. Currently, we have many developments that do not meet this setback and are legal, non-conforming uses. We also have situations, such as Park Place, in which the setbacks are platted right around the building. Many developments also have common parking areas or common drives with a property line running down

an interior drive or down the middle of the parking lot. This requires a green buffer area right in there. Sometimes, it makes sense, but often times, it doesn't. Rather than deleting this requirement, this amendment would allow the Planning Commission to take a look at the individual project to see if it makes sense and then also to ensure that there is enough open space and that the other standards have already been met. Additionally, Building G in Park Place, because of the small setback, had a stipulation requiring an LDO amendment to allow a deviation or a re-platting, which would place the setback in the middle of the sidewalk. Staff is recommending approval of this application. You have a revised Staff Report on the dais which cleans up language with regard to setbacks. Additionally, it allows the deviation to take place at the Final as well as Preliminary. I would be happy to answer any questions.

Chair Rohlf: The revision is in our folders and has added language on the first page.

Mr. Klein: Correct.

Comm. Jackson: In Paragraph A, it states it can be a Preliminary or Final Plat. Is there any potential issue with applying it to the entire section with lot area and floor area ratio?

Mr. Klein: We did take a look at that. As far as F.A.R., it will not be affected at all as far as plat lines. The F.A.R. is computed over the entire development. The use regulations would not be affected. The setbacks would be. Lot width would not be. Lot area could potentially be; however, since this is a deviation, it is something the Planning Commission and Governing Body would take a look at to see if it made sense. We are trying to get to setbacks. The deviation allows the flexibility but does not have to be granted.

Chair Rohlf: If there are no other questions, this case does require a Public Hearing.

PUBLIC HEARING

As no one was present to speak, a motion to close the Public Hearing was made by Jackson; seconded by Williams. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

Chair Rohlf: This takes us up to any further discussion, hopefully leading to a motion.

A motion to recommend approval of CASE 113-11 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-3-9 – DEVIATIONS RELATING TO INTERIOR PROPERTY LINE SETBACKS – Request for approval of an amendment to the Leawood Development Ordinance – was made by Williams; seconded by Neff-Brain. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

CASE 87-11 – PARK PLACE – 7TH PLAT – Request for approval of a Revised Final Plat, located at the northeast corner of 117th Street and Nall Avenue.

Staff Presentation:

City Planner Justin Peterson made the following presentation:

Mr. Peterson: Madame Chair and members of the Planning Commission, this is Case 87-11 – Park Place – Request for approval of a Revised Final Plat, located on the northeast corner of 117th Street and Nall Avenue. The applicant is requesting approval of a Revised Final Plat to divide Lot 19 into two lots. The property is the site of Building F and Building F Expansion, which received approval from Governing Body on July 18, 2011 within a single lot. This application is proposing to split this single lot into two lots where Building F connects with the expansion. Per the current LDO ordinance, interior setbacks within the MX-D

district shall be a minimum of 10 feet, and this proposed plat has setbacks that are less than 10 feet. In developments where uses are to be more closely integrated or buildings are to be connected, this requirement restricts a type of development that may be encouraged, particularly in the MX-D district. If the deviation is granted with this application, this plat will be in conformance with the LDO as amended in the previous case; however, if the deviation is not granted with this application, the plat must be revised to meet the interior 10-foot interior setback. Staff is recommending approval of this case, subject to the stipulations outlined in Staff Report, and I would be happy to answer any questions.

Comm. Neff-Brain: We have the location picture, but I don't think the new garage and new building under construction are in that. Do we have a more updated plan?

Mr. Rexwinkle: That is the most recent aerial photograph. Building G was under construction, and Building J is almost complete now. Those are not shown.

Chair Rohlf: Is something troubling you?

Comm. Neff-Brain: We're talking about the Building F expansion. Where is that?

Mr. Klein: Building F is where Pacciugo is located. The expansion to that building was recently approved. This would draw a line between Building F and that expansion to the east. (*Refers to overhead photo*) The shaded area is the expansion of Building F, and it will have retail on the first floor that faces the south. It will also have a parking garage on the first floor on the portion of the building facing the north. Then it will have three stories of office that are located above it.

Comm. Neff-Brain: The parking will be enough to balance against what will be taken away.

Mr. Klein: They are providing parking garages. No parking structures were originally proposed with this development. Parking Structure A was completed along Nall Avenue. Structure B is along 117th Street and was recently constructed. Another garage is proposed to be located at the northwest corner toward the hotel and where the AMC was recently announced. Building J at the end has some parking for executives who work in the building, and Building G also provided 22 parking spaces for employees.

Chair Rohlf: Since we did approve the LDO amendment, this plat is now in conformance, correct?

Mr. Coleman: Correct.

Mr. Klein: A deviation would need to be approved with this.

Chair Rohlf: Any other questions for staff?

Applicant Presentation:

Judd Claussen, Phelps Engineering, 1270 N. Winchester, Olathe, KS, appeared before the Planning Commission and made the following comments:

Mr. Claussen: I am a civil engineer for Park Place development, and I have Jeff Alpert here with me tonight. You had seen this Final Site Plan and Final Plat a few months back. This application is to simply divide that lot into two parts. The outer boundary is staying the same; we are just dividing the lot that currently shows F and F2 into two separate lots. I hope that clears up why I am here. Obviously, the deviation helps us to have you take a look at the Site Plan and make sure you like it and that the lot lines are not directing how the Site Plan is laid out, but rather the other way around: that you like the Site Plan and the way the street

and sidewalks orient with the building and that the lot lines are merely a way to transfer property and such. I'll answer any questions you have.

Comm. Roberson: Why are you splitting it into two lots?

Mr. Claussen: There is a mortgage already on the other building, and it would be easier to have this building as its own lot since it is really a standalone structure.

Comm. Roberson: If there is a mortgage on the existing building, it would encompass the land, would it not?

Ms. Shearer: We see this a lot with office buildings in Leawood. We refer to it as a condo split. In a building full of condominiums, they're each individually owned. According to the building code, there are certain things they look at for building code purposes. In this regard, it would just mean there could be two separate lots.

Comm. Roberson: I understand, but if there is a current mortgage on the property, you will have to get the mortgage holder to agree to the split because they'd be giving up part of their collateral.

Jeffery Alpert, Park Place, LLC, 11551 Ash Street, Leawood, appeared before the Planning Commission and made the following comments:

Mr. Alpert: The encumbrance is only under the actual Building F and does not extend past it. There is no issue with the current lender.

Comm. Roberson: That is fine; thank you.

Chair Rohlf: If there is no discussion, I would ask for a motion.

A motion to recommend approval of CASE 87-11 – PARK PLACE 7TH PLAT – Request for approval of a Revised Final Plat, located at the northeast corner of 117th Street and Nall Avenue – was made by Williams; seconded by Roberson. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

CASE 94-11 – CAMELOT COURT – COMFORT PLUS SHOES – Request for approval of a Final Sign Plan, located at 11711 Roe Avenue.

Staff Presentation:

Assistant director Mark Klein made the following presentation:

Mr. Klein: Madame Chair and members of the Planning Commission, this is Case 94-11 – Camelot Court – Comfort Plus Shoes. It's an existing building in the Camelot shopping center located in a building that is off the north side, adjacent to 117th Street. Just to the west of it is Birds Unlimited. The applicant is requesting to place an additional sign on the building's east façade. Currently, one is on the north façade, and it is shown in your packet. (*Refers to overhead photo*) This is located at the corner of CVS, looking to the northwest. What you're seeing is an internal drive that comes off 117th Street that goes directly in front of the main center. Directly to the east of it is where there was that landscaped area for Earl May. Currently, the sign says, "Comfort Plus Shoes and Foot Care." The applicant is proposing an additional sign on the north elevation that is being taken from another store. Staff has a number of concerns. One is, when they originally submitted the plan, it was too large and did not meet the 5%. They took the lettering and compressed it. Staff was concerned about it looking right. We also had concerns with regard to the color

that didn't match the sign on the south elevation. The applicant provided us with a revised elevation today in which they removed the ampersand in an effort to space out the letter a bit more on that east elevation. Staff still has concerns and is not supportive of the application due to the look of the signs and the difference in colors. Staff will be happy to answer any question.

Chair Rohlf: How did we get all this stuff in the windows?

Mr. Klein: We allow 5% of the window area; however, some of that appears to exceed that. We can have someone take a look at it.

Chair Rohlf: That could be a compliance issue there.

Mr. Klein: Yes, a lot of the graphics in the window probably do exceed the 5%.

Chair Rohlf: My biggest concern would be what you've just reiterated in that the color does not work well with the existing sign. Let's see if some of the other commissioners have questions. If not, we'll hear from the applicant.

Applicant Presentation:

Pat Murray, KC Sign, 10405 Mohawk Lane, Leawood, KS, appeared before the Planning Commission and made the following comments:

Mr. Murray: This particular sign, as staff reported, was removed from a store up north that was their first store. This is part of a larger chain. The corporate colors are the green and purple. The original sign read, "Comfort Plus Shoes & Warehouse." Due to the economy downturn, the client had to close the store up north. They requested us to take down the sign, store it and subsequently apply for a permit for installation of the sign at this location. We took the original layouts, put them into the storefront as well as we could to get them to fit properly, and submitted it. Staff came back with the recommendation that it was too crowded, which I had no problem with. I shared that information with the client and suggested we drop the ampersand, which would allow for suitable spacing. They agreed to that, and we re-submitted as recently as yesterday. As you can see, we are now within the square footage, and I think it's a sign that reads comfortably. As far as the color combination is concerned, the client told me that, had the shopping center allowed colors at the time they first put in the sign, they would not have chosen white. Given the economic situation and the fact that they had to close the other store, they are looking to take advantage of the money they have spent on this sign already. They want you to consider leaving the color because it would be quite an additional expense to change out these faces. Other than the fact that there is already a white sign on the other elevation, I don't know that the two signs actually conflict. I guess that's a question for you folks to ask. They do feel that they need a second sign to increase identify and visibility to the traffic flow.

Chair Rohlf: Are there questions for the applicant? Thank you. Mark, could you shed a little light on the signage requirements for Camelot Court?

Mr. Klein: Originally, the development only allowed white individual letters. In April of 2010, the developer came in to change the criteria to allow color. Birds Unlimited has a red sign. CVS has a red sign. Many of the other signs are still white. Staff is not supportive of this one because it is incongruent with what is currently there. The white sign is located on the south, and on the east side, it will be a different color. They are visible at the same time from certain viewpoints.

Chair Rohlf: It is appropriate to have a sign on that sign, though?

Mr. Klein: Yes, as a corner business, they are allowed two facades.

Comm. Ramsey: Do they meet the requirements now?

Mr. Klein: With taking out the ampersand, they do.

Comm. Ramsey: The only issue you now have is the color?

Mr. Klein: Yes.

Comm. Ramsey: The color is now permissible.

Mr. Coleman: There is some issue of congruity. They're similar, but the fonts are different, as is the color. Staff's position is, from the corner, it will be evident that it doesn't belong.

Comm. Neff-Brain: I would be supportive of staff's position. I think having three colors of signs with different fonts really makes it look tacky. I also agree that there are way too many signs in the windows.

Chair Rohlf: Anyone else? Then perhaps we can make a motion.

A motion to recommend denial of CASE 94-11 – CAMELOT COURT – COMFORT PLUS SHOES – Request for approval of a Final Sign Plan, located at 11711 Roe Avenue – was made by Roberson; seconded by Neff-Brain. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

CASE 95-11 – PARK PLACE – MESTIZO AARON SANCHEZ (FORMALLY AS BISTRO) – Request for approval of a Revised Final Plan for a tenant finish, located at 11652 Ash Street.

Staff Presentation:

Senior Planner Joe Rexwinkle made the following presentation:

Mr. Rexwinkle: Madame Chair and members of the Planning Commission, this is Case 95-11 – Request for approval of a Revised Final Plan for a tenant finish for Mestizo Aaron Sanchez, formally known as AS Bistro. The proposed tenant space is located at the northeast corner of 116th Place and Ash Street, and this is located within the existing part of Building F that we discussed earlier. With this plan, the applicant is proposing signage and revisions to the elevations on the previously approved plan. The proposed revisions include modifications to the northwest elevation to eliminate the previously approved deck lighting and adding string lighting in its place, to eliminate the decorative stepped planter wall, to eliminate the awning over a portion of the storefront and replacing the brown tile with blue tile. The modifications to the south elevation include replacement of the brown tile with blue tile and reducing the number of display cases around the south entrance from five to three. All other exterior materials on these elevations will remain the same as originally approved. A copy of the originally approved elevations has been included with the packet that you received for comparison purposes. A total of three signs are proposed, including a wall sign on the northwest elevation, a blade sign on the southwest elevation over the main entrance and a blade sign on the south elevation above the additional entrance. The blade sign on the south elevation will be non-illuminated and constructed of aluminum with applied vinyl letters that read, "Mestizo Aaron Sanchez." This sign will measure 6 feet by 2 feet for a total area of 12 square feet. The blade sign on the southwest elevation will be constructed the same but will only read, "Mestizo." This sign will measure 1.5 feet by 8 feet for a total area of 12 square feet. The wall sign on the north elevation will read, "Mestizo Aaron Sanchez," and the word "Mestizo" will be constructed of reverse-illuminated individual channel letters. The words "Aaron Sanchez" will be constructed of non-illuminated flat-cut metal letters. This sign is proposed to measure 2 feet by 6 feet, 6 inches for a total area of 13 square feet, which is less than 1% of the tenant

façade. All signs comply with the sign criteria for Park Place and with the LDO. According to the applicant, the display cases on the south elevation will include art and tapestries that are not considered signage. Staff is supportive of such a display. A stipulation has been added to the report, stating that such objects are permitted but that signage is not. The proposed tile is displayed on the material board I will pass around. The specifications originally provided to staff noted that both tiles were not frost-resistant, and staff has noted we are not supportive and have included a stipulation to require revised specifications or a new material that is frost-resistant. The applicant did that, and the new specifications are in the folder on the dais. The materials are exactly the same; they have simply replaced them with the frost-resistant version. Staff is recommending approval of this case, subject to the stipulations in the Staff Report and recommends that Stipulation No. 3, which pertains to the frost-resistant tiles, be omitted. I'll be happy to answer questions.

Comm. Neff-Brain: The approved plan had the stair-stepped stone with pots. They want to remove that?

Mr. Rexwinkle: Yes, they proposed that with the original plan, and they do not want to construct it. Two trees would have to be removed, and they would prefer to leave the trees where they are and not build the wall.

Comm. Neff-Brain: They are going to put those five pots across now.

Mr. Rexwinkle: They will space them throughout the landscape bed on the bed itself.

Comm. Williams: Is the string lighting to be on the upper patio or on both?

Mr. Rexwinkle: They just show it on the upper patio.

Chair Rohlf: Is it visible from the street?

Mr. Rexwinkle: It looks like it will be strung from poles that, I would estimate, are several feet tall. They would be above the patio. The poles are on top of the rooftop, so they would probably be visible from the ground.

Comm. Roberson: According to this, it goes right under the "Mestizo" sign.

Chair Rohlf: I don't know about that.

Mr. Rexwinkle: (*Refers to overhead plan*) This location is the deck lighting, and they are proposing to eliminate that and add these poles with string lighting.

Chair Rohlf: What does the ordinance say about that? I remember we had discussion on Los Cabos.

Mr. Coleman: It was determined you could approve them. They are in opposition to nothing in the LDO.

Comm. Williams: They do add a festive character to the environment.

Chair Rohlf: Does anyone else have questions for staff?

Applicant Presentation:

Tim Sinclair, 2210 North Rosemont, Wichita, KS, appeared before the Planning Commission and made the following comments:

Mr. Sinclair: I'll address the concerns first. The reason for us to proceed with the lighting is our atmosphere is festive Mexican heritage. More importantly, nothing is on the building for night. On the upper deck, the lights would have been on the wall shining out to get any good lighting. (*Refers to elevations on the overhead*) On the upper deck, the dining area is on the other side of the handrail. It is roughly 20 feet from that and the back building where the "Mestizo" sign is. To get lighting on the dining area on the deck, we would have to go high. These poles are shown 3 feet too tall; they should be shown at 10 feet. The lights are all white, and we have gone with a 60-foot candle lighting that is not bright, by any means. They are strung on a catty-corner layout. The lights will be about 18 inches on center and 25 watts, so they are not very bright. Again, it is more for the dining experience.

Comm. Neff-Brain: What is the material of the cabana?

Mr. Sinclair: It is fabric that will match the sofas and other fabric on the upper deck.

Comm. Neff-Brain: Is it a permanent structure?

Mr. Sinclair: Yes.

Comm. Neff-Brain: Could you also address the pots in the landscaping?

Mr. Sinclair: There are actually three large trees, and the tree on the right goes all the way up to the railing. We would have to tear out roots of the trees, so we decided to put these planters as you see them. There is nothing in them; they are merely for decoration. We are flexible.

Comm. Williams: Those are against the building?

Mr. Sinclair: There was some discussion by staff of security. We can put them on the planter wall and anchor them down, or we can scatter them in the planter and anchor them down.

Comm. Neff-Brain: The trees will reduce the visibility of that solid brick wall?

Mr. Sinclair: More importantly, they would probably die if we went in there to cut them in. (*Shows a photo of the trees*) These are back far enough that the planter wall would be into that, and it would block visibility of the planter wall. What you don't necessarily see in these pictures is that there are three more to the right. They are all about the same size.

Chair Rohlf: That photo was actually this portion of the building?

Mr. Sinclair: Yes.

Chair Rohlf: That is the railing that is part of the deck, then. So help me visualize where the deck lights are. Are they on poles above the railing?

Mr. Sinclair: It is actually going to be on the inside of the railing, mounted to the back face of it and standing about 7 feet above that.

Chair Rohlf: There are how many poles?

Mr. Sinclair: Five, I believe.

Chair Rohlf: The entire deck area and above is all surrounded in lights; it goes in a big circle?

Mr. Sinclair: They zig-zag from the wall out.

Chair Rohlf: Does anyone else have further questions for the applicant? Thank you. It looks like we would need to revise Stipulation No. 3 because they have submitted a new tile. Mr. Rexwinkle, you feel that the tile is appropriate?

Mr. Rexwinkle: We have no objections.

Comm. Williams: So we just delete No. 3?

Chair Rohlf: I think we make a note that it has been changed to the frost-resistant tile. Do we have further discussion before we make a motion?

A motion to recommend approval of CASE 95-11 – PARK PLACE – MESTIZO AARON SANCHEZ (FORMALLY AS BISTRO) – Request for approval of a Revised Final Plan for a tenant finish, located at 11652 Ash Street, with all seven staff stipulations, but revising No. 3 to read: “Exterior tile shall be frost-resistant tile as submitted to staff” – was made by Williams; seconded by Roberson. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

CASE 96-11 – ONE NINETEEN – FO THAI RESTAURANT – Request for approval of a Revised Final Plan for a tenant finish, located at the southeast corner of 119th Street and Roe Avenue.

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: Madame Chair and members of the Planning Commission, this is Case 96-11 – One Nineteen – Fo Thai Restaurant. It is an application for a Revised Final Plan for a tenant finish and was before the Planning Commission on a few other occasions. The first was for the original tenant finish, and then they came back and asked for revisions to change from tile to copper. They also changed to an overhead door, added brick along the main entrance and changed the entry door and the menu board. That was approved, and they began construction. They made some changes that they then had to come back and ask for approval for. They also had a split-log transom over the entry door, which was not approved; however, the rest of the tenant finish was approved. City Council had concerns with the overhead door and also that changes were made in the field prior to approval. They instructed them to look at the overhead door and also file a new application. In the meantime, they have made a few other changes as well. (*Refers to overhead photos*) These photos show the copper that is darker because of the patina process. A split log was located here. The Planning Commission stipulated that it match the door, and they tried to do that. What they have not changed is the overhead door. They indicated that La Bodega also uses a very similar door, and they are asking for approval of this door that they have already installed. Your packet shows examples of the door used by La Bodega. The main difference is in the proportion of the windows and the transom along the top of the door, which is taller at La Bodega. That makes Fo Thai's look out of proportion with the doors below. In addition to the changes you have previously seen, they are also proposing additional metal work on the entry door. Previously, they just had metal that came off to the side where the hinges were; here, they want to band it with metal to make it look a bit more rustic. Additionally, they are also proposing a new sign located on the awning. It does meet the requirements of the One Nineteen development and the LDO. The letters are 16 inches high, and the logo is a single character. It is mounted to the face of the awning as required. Staff has the same recommendation as we had before: we are supportive of the application; however, we are not supportive of the overhead doors. We are happy to answer questions.

Chair Rohlf: Could you put the photo back of what it looks like now? (*Photo placed on the overhead*) I don't have the benefit of being at our last meeting. Can you tell me what is there that has not been approved?

Mr. Klein: What is currently approved is this elevation here (*places elevation on the overhead*). This is the copper going across. They have the recessed brick entryway that is the same. They changed the menu window's dimensions.

Chair Rohlf: Were these changes approved, or were they in response to what the Council recommended?

Mr. Klein: This is what is currently approved by City Council. Some changes occurred out in the field. The dimensions of these windows changed. The overhead doors that were supposed to open to the outside changed from what was approved.

Chair Rohlf: How have we gotten from the plan to existing without approval?

Mr. Klein: The applicant made decisions in the field without coming back in for approval.

Chair Rohlf: They have already installed the overhead door they want that has not been approved.

Mr. Klein: Correct; they installed the one they chose instead of coming back to ask for approval. That was part of the discussion in the last meeting as well and part of what City Council had as well.

Chair Rohlf: I know the minutes reflect that City Council has sent it back to look at these overhead doors that have been installed and make a decision as to whether we think they are appropriate.

Mr. Klein: Yes, City Council had concerns that they felt the overhead doors did not match what was there, as well as a few commissioners. This case was approved 3-2 when it came before the Planning Commission previously. There was discussion about the doors.

Chair Rohlf: Any questions for staff? Then we'll hear from the applicant.

Applicant Presentation:

Tim Bowman, Compass Resources, 20888 Benson, Bucyrus, KS, appeared before the Planning Commission and made the following comments:

Mr. Bowman: I am the general contractor for Fo Thai Restaurant. I'd like to answer questions.

Chair Rohlf: You can either make a presentation or address questions that have been asked.

Mr. Bowman: I'm not making excuses; I was asked to be here at 12:30 today.

Mr. Klein: They would like you to address changes that have occurred since they saw the case the last time and also the changes that have occurred in the field, specifically, the overhead door.

Chair Rohlf: I'm assuming neither of you in the back is here from RED, correct? And we don't have a representative here from RED. I seriously doubt Mr. Bowman is going to be able to answer the kinds of questions we'll have, but we'll give it a shot.

Mr. Bowman: The reason the door ended up this way is we've had some internal communication issues. That door was the door we submitted the first time as a general contractor. This is the first and only door we submitted. That door was driven by a request by the owner to try to match up with what La Bodega has and

to bring that line across. I actually now understand what you've been talking about, Mark, and I apologize. The architect normally works with you, so there is a bit of a gap there as well. The transom is really the big issue and also the two top windows.

Mr. Klein: It is the proportions.

Comm. Roberson: It is also not the approved design.

Mr. Bowman: Without opening up a can of worms, I can tell you that drawing did not depict the doors that were actually installed by the time the drawing came here.

Chair Rohlf: Do you know where that design element came from that we saw originally?

Mr. Bowman: I have no idea; I have an opinion.

Comm. Roberson: The other side of the coin is that the door never should have been installed, whether it was the original one you submitted or not, without approval from the Planning Commission and City Council.

Mr. Bowman: Yes, sir, and I don't disagree.

Comm. Roberson: I'm not jumping on you; it just never should have been done.

Mr. Bowman: I understand and don't disagree with you. Now that I've had time to reflect on it and put the dots together, I can tell you what happened. During the process of construction, the willingness to get the area dried out and closed in prompted us to put that door in. It was a decision as a team. There was a change from the folding doors, which gave us certain complications. This door is actually more expensive than the folding doors. It was brought to our attention that this was a value issue, and that simply is not true. This door actually has some unique characters to it in that it actually goes straight up vertically instead of rolling up like a garage door. This basically disappears into the building, if you will. It had some advantages that the owner felt strongly about. It was very early in the stages, and we felt comfortable that it would be approved, so we put it in at-risk, and I understand that it wasn't approved. As a group, we thought it would not be a problem. I can see now where the problem is; you're absolutely right. If the real issue is these windows to match up to those, it is a painless retrofit. The door is a very expensive door; the transom is easy to fix. To match up with the windows coming across would be an easy adjustment.

Comm. Neff-Brain: Would you put two more bars in to make four divisions in the transom?

Mr. Bowman: What I would do is actually tear this section completely out, make it smaller on the transom and then match my windows to bring the lines up. I see that now.

Comm. Ramsey: Does that transom serve as a header as well?

Mr. Bowman: Not the way it's built. Honestly, it is 2 x 8 metal studs.

Comm. Ramsey: Consider it done.

Mr. Bowman: If that is the concern, I am fully prepared to make that happen.

Chair Rohlf: What is happening to this solid door? Is that the front door?

Mr. Bowman: It is the front door.

Chair Rohlf: They want to add some additional hardware, correct?

Mr. Bowman: I believe it was approved with some metal.

Mr. Coleman: If you are considering changes to the drawing in the submittal, I would want them to re-submit new drawings that reflected their changes. We would need to continue the case and have them come back and get the correct transom submitted, rather than trying to figure it out on the fly. Your understanding of what he's saying and his understanding might be different.

Chair Rohlf: Obviously, we had some understandings that weren't understandings, and I'm not sure how we got to the doors. They're nothing like what is in the currently approved elevations. The total concept is different than what we approved. I wasn't here the second time it came through, and I'm not sure what City Council is asking us to do, but we would need to see a set of new plans that would show what you're changing about this overhead door and the changes to the front wood door.

Mr. Bowman: I actually think they have the drawings.

Chair Rohlf: That doesn't reflect the copper (*refers to plan*).

Mr. Bowman: This is an old drawing.

Chair Rohlf: That's what I'm saying; we don't have a drawing of what has been proposed, what is approved or what you're now proposing.

Mr. Bowman: We have a drawing that is what we're proposing. For this transom adjustment, we do not have the drawing. What I am proposing is we will give you a new drawing with the new transom, and I would like to talk more about the front door so I get an understanding of what you want. I know what the client wants, and I want to get a feel for what you want. I think I've got a little sway with the client, so I can probably talk him into it.

Comm. Neff-Brain: Is the currently proposed plan from 8-18 what you are currently proposing?

Mr. Bowman: That was the original plan.

Mr. Klein: I tried hard to get the most recent plan, and I got this delivered the day before the packets went out. I was told it was the latest proposal because it is what I asked for. If it is an old drawing, I did not know that.

Comm. Neff-Brain: It doesn't have the transom.

Mr. Klein: No, it doesn't address the transom.

Mr. Bowman: The transom is something from tonight.

Mr. Klein: But everything else about the drawing is correct?

Mr. Coleman: Let's just have them go back and do the drawing of exactly what they're proposing, the door included, and come back at a later meeting. We can try to work on this all evening.

Chair Rohlf: That is fine, but what were City Council's instructions on this overhead door? Are we still debating whether we will accept this type, period?

Mr. Klein: The Council wanted the applicant to go back and look at La Bodega and see if they wanted to go back with that door. Some of them thought it did not look appropriate for the center. Some of the commissioners also made the same comment. The applicant has re-submitted per City Council's instructions, and they are proposing the same door. Tonight, it sounds like the transom could be changed. If the case is continued, they would change the drawings to reflect the changes in the transom to make it proportional to the rest of the overhead door and then come back before you.

Chair Rohlf: I think we're giving the impression that the currently installed overhead door is all right.

Mr. Klein: And I think that is probably the direction the applicant is looking for at this point. If you don't feel that changing the transom is enough, it is probably good for the applicant to know that.

Comm. Roberson: I see the purpose of the door next to the overhead door as entry to an outdoor dining.

Mr. Klein: Correct; it was the outdoor dining that was approved with a fence around it.

Chair Rohlf: That's gone now, right?

Mr. Klein: My understanding is the outdoor dining is there, but ABC changed the rule to allow the fence to go away.

Chair Rohlf: I think it's fine if you want to re-submit what you are going to propose, but I am not sure if there is agreement on whether that will fix the overhead doors. I'm not sure how the rest of the commissioners feel, but a few are absent this evening. I know Mr. Elkins had a strong opinion about these overhead doors. Would you like to continue it?

Mr. Bowman: I think that's exactly what I would like.

Comm. Ramsey: What he is proposing with the transom changes and the overhead door that they have installed, will it match La Bodega?

Mr. Klein: It won't match exactly because of proportion differences. What it would do is make the transom match the proportion of this particular door.

Mr. Coleman: The windows on Fo Thai are 1 inch shorter in length and 1 inch longer in width. The proportions are a little bit different. The overall opening at La Bodega is about 2 feet taller than at Fo Thai. There is an overall difference, but I think them going back and actually proposing exactly what they are going to do is the right direction. The commission can take a fresh look at elevation that they are actually proposing.

Comm. Williams: Did you also measure the mullion sizes?

Mr. Coleman: I did; the mullion, as it was built, is about 5 ½ inches wide at Fo Thai and about 3 inches wide at La Bodega.

Comm. Williams: What about the mullions for the glass door itself?

Mr. Coleman: They're approximately the same.

Comm. Williams: They just look heavier in the picture.

Mr. Coleman: The panes become a little larger and squarer at La Bodega.

Comm. Williams: I think one of the differences in the two installations that is probably key to the body here is the one on the Thai restaurant looks like a garage door; La Bodega does not.

Mr. Coleman: The profiles of the dividers for the garage doors are square on La Bodega. They are not the same manufacturer.

Comm. Neff-Brain: The mullions are thicker at La Bodega, or at least they look like they are.

Comm. Jackson: Mr. Bowman, I would like to make a request. There have been communication problems over and over again with you and the client. This commission has spent a lot of time on this; the City Council has; the staff has. My suggestion is you get together early with your owners, get together a definitive packet and get it to staff early. They are very good with working with applicants. Give them the time to do it properly. They know a great deal about the commission and what we like and don't like, and they can advise you on that. If you get started early, it won't be any problem getting this to us in a good packet we can all look at, understand and hopefully approve. Thank you.

Chair Rohlf: I think we are requesting a motion for continuance. When will it be heard?

Mr. Klein: The next meeting is October 25th.

Chair Rohlf: Is there room on that agenda?

Mr. Klein: It is a very full agenda, but they would be heard first because they would be old business.

Chair Rohlf: Then Ms. Jackson's comments are even more pertinent.

Comm. Williams: The applicant asked to discuss the front door. Are you settled with what you need to do on the front door at this point?

Mr. Bowman: I think Ms. Jackson's idea of bringing back a comprehensive packet early and working with staff is a great idea, so let's go that route.

A motion to continue CASE 96-11 – ONE NINETEEN – FO THAI RESTAURANT – Request for approval of a Revised Final Plan for a tenant finish, located at the southeast corner of 119th Street and Roe Avenue to the October 25th Planning Commission meeting – was made by Williams; seconded by Roberson. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

CASE 101-11 – CITY OF LEAWOOD COMPREHENSIVE PLAN – Request for approval of the 2010 Comprehensive Plan. **PUBLIC HEARING**

Staff Presentation:

Senior Planner Joe Rexwinkle made the following presentation:

Mr. Rexwinkle: Madame Chair and members of the Planning Commission, this is the City of Leawood's Comprehensive Plan. It is a request for approval of the 2010 Comprehensive Plan updates. It is called the 2010 Plan because it started last year. Staff reviewed census data as it was released incrementally. The proposed changes are tied only to the demographics section. The only other changes are to the necessary Table of Contents page numbers and also reflect the current make-up of the Planning Commission, City Council and staff, which is on the second page. The demographic section is the same as what you saw at the August 9th Work Session. The narrative is essentially the same as the existing plan; we have just modified it to reference today's figures. Staff is recommending approval of this, and if you have any questions, I would be happy to answer them.

Chair Rohlf: What happens to the Comprehensive Plan once it is approved? Is online, or is it available?

Mr. Rexwinkle: We do have it online, so when this is approved by City Council, we will update the entire package and put it on the website.

Chair Rohlf: Applicants and developers will have access to this information?

Mr. Rexwinkle: Correct.

Chair Rohlf: Does anyone have questions? This case does require a Public Hearing.

PUBLIC HEARING

As no one was present to speak, a motion to close the Public Hearing was made by Roberson; seconded by Williams. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

A motion to recommend approval of CASE 101-11 – CITY OF LEAWOOD COMPREHENSIVE PLAN – Request for approval of the 2010 Comprehensive Plan – was made by Williams; seconded by Roberson. Motion approved with a unanimous vote of 5-0. For: Roberson, Jackson, Neff-Brain, Williams and Ramsey.

MEETING ADJOURNED.