

**Planning Commission Agenda
July 24, 2012
Dinner Session – 5:30 p.m.
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

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

APPROVAL OF THE AGENDA:

Chair Rohlf: I would just like to point out to make sure everyone in the audience is aware that Case 52-12 – Ranchmart North, Lot 3 has been continued to the August 14th meeting.

A motion to approve the agenda was made by Jackson; seconded by Williams. Motion approved with a unanimous vote of 4-0. For: Pateidl, Roberson, Jackson and Williams.

APPROVAL OF MINUTES:

Approval of the minutes from the June 26, 2012 Planning Commission meeting.

A motion to recommend approval of the June 26, 2012 Planning Commission meeting was made by Williams; seconded by Roberson. Motion approved with a unanimous vote of 4-0. For: Pateidl, Roberson, Jackson and Williams.

CONTINUED TO AUGUST 14, 2012:

CASE 52-12 – RANCHMART NORTH – LOT 3 – Request for approval of a Zoning to SD-CR (Planned General Retail), Preliminary Plan and Final Plan, located north of 95th Street and east of Mission Road.
(PUBLIC HEARING)

CONSENT AGENDA:

CASE 84-12 – PARKWAY PLAZA – PARKWAY PLAZA CONDOMINUMS ENTRY MONUMENTS – Request for approval of a Revised Final Plan, located south of 133rd Street and west of Roe Avenue.

CASE 85-12 – MARKET SQUARE – SWIM U – Request for approval of a Final Sign Plan, located at the northwest corner of 135th Street and Pawnee Street.

CASE 87-12 – ONE NINETEEN – FENG – Request for approval of a Final Plan for a Tenant Finish, located south of 119th Street and east of Roe Avenue.

CASE 88-12 – MISSION FARMS – VAN BROCK JEWELRY STORE – Request for approval of a Revised Final Plan, located at 10551 Mission Road.

CASE 90-12 – PARKWAY PLAZA – 7TH PLAT – Request for approval of a Revised Final Plat, located north of 135th Street and west of Roe Avenue.

CASE 91-12 – CHRIST COMMUNITY EVANGELICAL FREE CHURCH – MONUMENT SIGN – Request for approval of a Revised Final Sign Plan, located north of 143rd Street and west of Kenneth Road.

CASE 92-12 – WELLS FARGO BANK – RETAINING WALL – Request for approval of a Revised Final Plan, located north of 103rd Street and west of State Line Road.

CASE 93-12 – ONE NINETEEN – FRANKLY BASIC – Request for approval of a Final Sign Plan, located south of 119th Street and east of Roe Avenue.

CASE 96-12 – PARK PLACE – LUXE – Request for approval of a Final Sign Plan, located at the northeast corner of 117th Street and Nall Avenue.

A motion to approve the Consent Agenda was made by Jackson; seconded by Roberson. Motion approved with a unanimous vote of 4-0. For: Pateidl, Roberson, Jackson and Williams.

NEW BUSINESS:

CASE 89-12 – LEAWOOD PLAZA – REVISED SIGN CRITERIA – Request for approval of a Revised Final Sign Plan, located north of 123rd Street and west of State Line Road.

Staff Presentation:

Kathryn Rush made the following presentation:

Ms. Rush: This is Case 89-12 – Leawood Plaza – Revised Sign Criteria. The applicant is requesting to approve Revised Sign Criteria for the Leawood Plaza development. In particular, the applicant is proposing to allow colored lettering. Staff is supportive of the change to allow colored lettering but has concerns about the other proposed changes to the criteria. Subsequent to the Staff Report going out, the applicant agreed to the stipulations. Therefore, staff recommends the Planning Commission approve Case 89-12 with the stipulations stated in the Staff Report.

Comm. Pateidl: In the Staff Report on Page 2 under the second bullet point in Paragraph A, the applicant is asking that the signs will be restricted to the legal/business name and logo of the business. Under Staff Recommendation 2A, it says, “Signs shall be restricted to the legal name and logo of the business.” I didn’t see anything in the comments from the staff regarding a problem with the use of the business name. We’ve gone through this issue of DBA (Doing Business As) and legal names, etc. I’m wondering if that is simply an oversight in the drafting of the Staff Report or if there is more to that story.

Mr. Klein: With regard to the legal name of the business, we are recommending it remain the same as far as the currently approved Sign Criteria for the development. Staff has no opposition to using the name of the business and the logo. Per the Leawood Development Ordinance, the name is allowed. Again, the legal name is something we have always used because it was a way to keep applicants from adding on a large tagline. The LDO states that only the name of the business and nothing with regard to phone numbers and that kind of thing are on there.

Comm. Pateidl: Doesn’t the ordinance actually talk about the corporate name.

Mr. Klein: Actually, it is just the name of the business.

Mr. Coleman: We could add “legal/business” to the stipulation.

Comm. Pateidl: That is my point. That is what the applicant is asking for, but I didn’t see a change in the stipulation.

Applicant Presentation:

Diane Botwin, 3600 W. 89th Street, Leawood, KS, appeared before the Planning Commission and made the following comments:

Ms. Botwin: I filed this application so my tenant could put colored letters on the sign.

Chair Rohlf: You are in agreement with the stipulations, and you are fine with us changing 2A to say "Legal/business"?

Ms. Botwin: Yes, that is what I suggested.

Chair Rohlf: Unless there is any more discussion on this matter, we can confirm the wording in the LDO.

Mr. Klein: It reads, "Permanent signs which identify phone numbers, product or any other specific information about the tenant beyond the name of the tenant." It is listed in the Prohibited section of the Sign Ordinance.

Comm. Pateidl: If that clarifies that whole issue so it doesn't have to be discussed again, so be it.

Mr. Klein: Staff has used the legal name of the business to ensure that it was the only thing on the sign.

Comm. Pateidl: So we will not be dealing with DBAs, correct?

Mr. Klein: I would like to get away from that because they could change the DBA to whatever they want.

Chair Rohlf: Unless there is anything else, we are ready for a motion.

A motion to recommend approval of CASE 89-12 – LEAWOOD PLAZA – REVISED SIGN CRITERIA – Request for approval of a Revised Sign Plan – with three staff recommendations, revising 2A to read, "Signs shall be restricted to the legal/business name and logo of the business only – was made by Jackson; seconded by Roberson. Motion approved with a unanimous vote of 4-0. For: Pateidl, Roberson, Jackson and Williams.

CASE 94-12 – PARK PLACE – 801 FISH – Request for approval of a Final Plan for a Tenant Finish, located at 11615 Rosewood Street.

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: Madame Chair and members of the Planning Commission, this is Case 94-12. The applicant is requesting approval of a Final Plan for a Tenant Finish for 801 Fish to be located in the ground level of Building J in the Park Place development. As you'll recall, the Planning Commission approved an addition to Building J specifically for this particular location back on June 26th and was approved by the Governing Body on July 16th. With regard to signage, the applicant has stated that signage is not included in this application and will be filed in a separate application. Signage will not be approved with this application. The particular materials the applicant is proposing include mahogany wood surrounding large, rectangular windows. They also have some decorative transom windows located along the top. These decorative windows will actually have a film that creates the appearance of being frosted with clear indentations to create the design itself. The brick columns on the building are interspersed between the individual windows. On these brick columns will be a decorative metal vertical element which will have a light located at the top that will add a bit of lighting to the building itself. They will also have stainless steel panels that are located just beneath the large windows and blue Sunbrella awnings that will be on a decorative stainless steel

frame. The entrance will actually have two doors. One will be a revolving door, and another will be a standard door for ADA access. Over the entrance will be a semi-circular canopy that will consist of a metal frame with a glass that is located over it. The applicant has also indicated lighting will be located underneath the awnings. Staff had a concern that they might illuminate the awnings, so one of the stipulations is that the awnings are opaque and that the light will not shine through. Staff is recommending approval of this application, and I will be happy to answer any questions.

Applicant Presentation:

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

Mr. Alpert: This is the second part of the application we had before you last month when we requested approval for the extension of Building J, which we call the Generale Building at the east end of Park Place. The extension, as we talked about last time, was created specifically to allow enough square footage to accommodate the 801 Fish restaurant. Tonight, we have the storefront. With the approval of that, we will get cracking on building this out. With me tonight is Danny Potts with Klover Architects, the design architect for the storefront. I'm going to let him briefly walk you through the design.

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

Mr. Potts: I'm going to walk you through the premise of the design. The storefront deals with an existing building. Our design stemmed from the old Chris Craft boat design. We wanted an upscale look, so we started with mahogany and worked with traditional transoms and storefront glass systems. Then the blue awnings had a very deep custom blue. As Mark mentioned, we do not intend to illuminate the awnings. We want a nice, soft glow to create a walking path of ambient lighting and not necessarily direct lighting along the pathway in front. We have the stainless steel, which is another prominent feature. Mark also mentioned the custom detail we will install on the columns. Again, this is borrowed from the Chris Craft details: some of the trim and the stainless steel with the polished brass buttons with an LED custom light at the top. It is a very quiet light because we want a very quiet, sophistication for the restaurant and not anything garish. We are not asking for signage approval this evening; the artists are still working on that. We would like to present that at a later date when we have something complete. We do have a revolving door of stainless steel that will be custom, much like the restaurateur's downtown location in the Power and Light District. The door will have the wood, polished brass and polished stainless steel. Above will be a sign of some sort. Around the side door will be our ADA location that is not actually shown in the drawings here, but the elevation is in your packet. Are there any questions?

Comm. Roberson: When do you plan on starting, and how long will it take?

Mr. Potts: They want to start immediately.

Mr. Alpert: We are working on construction drawings now and will complete those upon approval of the storefront. We are probably looking at about 30 days to get those completed and 30 days for a building permit. With the addition and interior build-out, we are probably looking at 5-6 months. I would say spring of 2013 will be the opening.

Comm. Pateidl: There is a great deal of construction activity going on over at Park Place right now. Could you bring us up to date on the status of the apartment project, the residential component of this development that we've been waiting for?

Mr. Alpert: I just received the plan review comments today. The plans are in for plan review. We are hoping somewhere in the next 60 days, we'll be starting construction.

Comm. Pateidl: I would hope that is the case as well because we are going against the grain of what we had agreed upon: that we would start seeing some residential construction before we further the commercial aspect. I think you have a wonderful project here, and I don't have any problem with it; it is just a reminder that the residential component is a critical piece to the development as far as we're concerned.

Mr. Alpert: Nobody wants it more than we do.

Comm. Roberson: What about that big pile of dirt?

Mr. Alpert: There is a storm sewer that runs from about midpoint on 117th Street and loops all the way around the east end of the site and connects to a box along Town Center Drive. We just got bids on that this week, and once we get that in, the water will be diverted around through that pipe. Then we can fill in the swale. It is ready to go, and we expect that work to be a 30-day project by the contractor's estimation.

Comm. Roberson: How about the buckled sidewalk in front of the garage facing Town Center?

Mr. Alpert: I was not aware of it, but I will get into it immediately in the morning.

Chair Rohlf: Is there anything else before we entertain a motion?

A motion to recommend approval of CASE 94-12 – PARK PLACE – 801 FISH (RETAIL: RESTAURANT) – Request for approval of Final Plan for a Tenant Finish, located at 11615 Rosewood Street, subject to seven staff recommendations – was made by Roberson; seconded by Williams. Motion approved with a unanimous vote of 4-0. For: Pateidl, Roberson, Jackson and Williams.

MEETING ADJOURNED