

**City of Leawood
Planning Commission Agenda - Amended
October 23, 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, Jackson, Levitan, Rohlf, Williams, and Ramsey. Absent: Roberson, Elkins and Strauss.

APPROVAL OF THE AGENDA:

Mr. Klein: The case located at 103rd and State Line requested a continuance to the November 27th meeting, which is reflected on the revised agenda.

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

APPROVAL OF MINUTES:

Approval of the minutes from the October 9, 2012 Planning Commission meeting.

A motion to approve the minutes from the October 9, 2012 Planning Commission meeting was made by Jackson; seconded by Pateidl. Motion approved with a unanimous vote of 5-0. For: Pateidl, Jackson, Levitan, Williams and Ramsey.

CONTINUED TO NOVEMBER 27, 2012:

CASE 121-12 – MISSION FARMS – PHASES 3 AND 4 – Request for approval of a Revised Preliminary Plan, located south of 105th Street and east of Mission Road. **(PUBLIC HEARING)**

CASE 77-12 – PARKWAY PLAZA – SPRINT ANTENNAE AND ASSOCIATED EQUIPMENT – Request for approval of Special Use Permit, located north of 135th Street and west of Roe Avenue. **(PUBLIC HEARING)**

CASE 126-12 – 10314 STATE LINE ROAD – Request for approval of a Preliminary Plan, located at 10314 State Line Road. **(Public Hearing)**

CONTINUED TO NOVEMBER 13, 2012:

CASE 128-12 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO ARTICLE 9, DEFINITIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to the definition of Research Services – Limited. **(PUBLIC HEARING)**

CASE 127-12 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-2-7, TABLE OF USES – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to Research Services – Limited. **(PUBLIC HEARING)**

CONSENT AGENDA:

CASE 124-12 – TOWN CENTER PLAZA – METCALF BANK – Request for approval of a Final Sign Plan, located south of Town Center Drive and east of Nall Avenue.

CASE 125-12 – TOWN CENTER PLAZA – BROOKS BROTHERS – Request for approval a Final Sign Plan, located north of 119th Street and east of Nall Avenue.

CASE 130-12 – TOWN CENTER CROSSING (ONE NINETEEN) – Request for approval of a Final Sign Plan, located south of 119th Street and east of Roe Avenue.

CASE 131-12 – TOWN CENTER PLAZA - Request for approval of a Final Sign Plan, located north of 119th Street and east of Nall Avenue.

CASE 132-12 – GLENABBEY OF LEAWOOD 3RD PLAT – Request for approval of a Revised Final Plat, located north of 143rd Street and east of Nall Avenue.

CASE 135-12 – PARK PLACE – TITLE NINE – Request for approval of a Final Plan for a Tenant Finish, located at the northeast corner of 117th Street and Nall Avenue.

CASE 136-12 – PARK PLACE – KANSAS CITY FINE CABINETRY – Request for approval of a Final Plan for a Tenant Finish, located at the northeast corner of 117th Street and Nall Avenue.

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

NEW BUSINESS:

CASE 142-12 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO ARTICLE 2, ZONING DISTRICTS - Request for approval of an amendment to the Leawood Development Ordinance, pertaining to the creation of the new zoning district SD-NCR2, Planned Neighborhood Retail 2. (**PUBLIC HEARING**)

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: Madame Chair and members of the Planning Commission, this is Case 142-12 – Leawood Development Ordinance Amendment to Section 16-2-1 [Establishment of Districts], Section 16-2-6.2 [SD-NCR Planned Neighborhood Retail District] and Section 16-2-8 [Table of Uses, pertaining to the creation of the new zoning district SD-NCR2, Planned Neighborhood Retail District]. This application is proposing a new zoning district into the Leawood Development Ordinance. It is based substantially on the SD-NCR District that currently exists. This particular district would be called SD-NCR2. Three sections would be amended as follows:

- 16-2-1, Establishment of Districts, lists the various zoning districts allowed within the City of Leawood. The SD-NCR2 is slightly more restrictive than SD-CR [Planned General Retail] and slightly less restrictive than the SD-NCR [Planned Neighborhood Retail].
- 16-2-6.2, which refers to the SC-NCR District [Planned Neighborhood Retail] Commercial District. This would add the SD-NCR2 [Planned Neighborhood Commercial Retail District 2] to the section, which means that by and large, the standards that apply to the SD-NCR District also apply to the SD-NCR2 District, including all the bulk regulations.
- 16-2-7, Table of Uses, which shows the permitted uses in each zoning district and whether a Special Use Permit is required. This amendment will add SD-NCR2 adjacent to SD-NCR. It shows allowed uses and which ones would require a Special Use Permit. Planned uses are designated with a "P." If the area is left blank, the use is not allowed within the district. Five uses have been

added to the SD-NCR2 district, and 24 uses have been removed from the SD-NCR. Those are shown in a table in the Staff Report.
Staff is recommending approval of this application, and I'll be happy to answer any questions.

Chair Rohlf: What will the impact be of this change on the rest of the Leawood Development Ordinance as far as sections that will have to be updated to include this zoning district?

Mr. Klein: It is taken care of in each of the sections. It states, "All regulations contained in this ordinance and any and all other laws and regulations of the City of Leawood that pertain to property zoned and developed as SD-NCR [Planned Neighborhood Commercial Retail] shall also apply to properties zoned as SD-NCR2 [Planned Neighborhood Commercial Retail]."

Comm. Williams: This zoning is to be less restrictive than the SD-NCR; is that correct?

Mr. Klein: Yes, it will be slightly less restrictive.

Comm. Williams: Yet, when I look at the permitted uses, with a couple exceptions, it looks like it is basically the same.

Mr. Klein: It is very close. This new district is only slightly modified from SD-NCR.

Comm. Williams: But yet, there are some key neighborhood-type items that are not included in this particular district that would just seem to be inappropriate if we're talking about this being Planned Neighborhood Commercial Retail. One case in point is the shopping center that is allowed in the NCR but not in the NCR2. Why would that be the case? This is supposed to be neighborhood commercial retail, and yet, we're saying that a neighborhood shopping center is not allowed.

Mr. Klein: This is supposed to reflect some concerns that some residents may have with the establishment of an SD-NCR District. This, in part, was worked out with the Ranchmart case in trying to decide what was appropriate for the adjacent neighborhood and to address some concerns, including that a neighborhood center would maybe be a bit too large, especially in an area that is so close to adjacent residential areas.

Comm. Williams: But a neighborhood shopping center would have certain requirements and zoning ordinance issues and LDO issues. It may not be appropriate for a small tract of land, but would it not be appropriate somewhere else in the city, or are we looking at this particular zoning applying to one plot of property and not to the city as a whole?

Mr. Klein: It gives an alternative. For instance, to get a neighborhood shopping center, the SD-NCR that currently exists would suffice. This just adds a different mix of uses, so it would depend on the area being rezoned.

Comm. Williams: I find it interesting that it cannot have neighborhood shopping but can have a shooting club with a Special Use Permit. For clarification, in either of these districts, construction sales and services are not allowed, but home remodeling and light construction supply and sales are allowed in the new proposed district. What is the difference between those?

Mr. Klein: I believe it has to do with scale.

Mr. Coleman: Yes, it is the scale and intensity of those uses. One would be more or less like an Ace Hardware; the other would be closer to a Home Depot.

Comm. Williams: Hardware stores are listed in a separate category.

Mr. Coleman: Construction sales and service, both indoor and enclosed, is a more intensive use than home remodeling.

Comm. Williams: I guess that would be open for debate, which I don't want to go into right now. When you define a home remodeling and light construction supply and sales, you're not talking Ranchmart Hardware, but what are you talking about?

Mr. Klein: There is no definition in the LDO with regard to that use, but I believe it is talking about a small retail business that deals in those types of materials for home construction.

Comm. Williams: It just seems peculiar that we will allow it in this new district but that we didn't allow it in the NCR District. For the moment, I have no further questions.

Chair Rohlf: Tell me again how these uses were determined for the new district.

Mr. Klein: We tried to look at both the SD-CR and the SD-NCR and address concerns of residences that may be close to this type of district, including, but not limited to, Ranchmart or Ironhorse. We tried to come up with a various mixture of uses that would address some of the concerns of the residents. Again, it is very close to the SD-NCR; however, it has some changes. For instance, this would not allow restaurants, while the SD-NCR would. It does have a different mix of uses. I understand what you are saying; we are just trying to provide an alternative when looking at a certain area.

Comm. Williams: I realize the Ranchmart property is a unique situation, one that the city has inherited with all its confusion. Is there an example elsewhere in the city of a new construction development in which we have taken a parcel of land and split it up as much as we have Ranchmart?

Mr. Klein: Ranchmart is unique in the fact that it is an existing shopping center, and we had to apply a zoning district to something that was already developed. We have a number of areas in the City of Leawood with commercial areas adjacent to a retail center, including 151st Street and Mission Road. We have had applications on a small piece of property for a drugstore, which were met with much opposition because of the uses allowed in Neighborhood Retail. This would add another variation that may be more palatable to some residents who are close. It is a matter of looking at each application to determine which would be more appropriate.

Comm. Williams: The sample you cited is a small parcel of land that likely will only be one development and one building. I wouldn't see dividing that in half for zoning.

Mr. Klein: I understand. The property at the northwest corner of 143rd Street and Kenneth Road is vacant and has zoning of SD-CR at the very corner with SD-NCR flanking on either side of it. At one point, a gas station was supposed to go at the corner, which is the reason for the SD-CR zoning. The neighborhood has changed a bit since that zoning, but there is still potential for residential to be adjacent to it. We also have the situation with Camelot Court with McDonald's as SD-CR and most of the main center as SD-NCR. Leawood Plaza Shopping Center is also in close proximity to residential to the west. If there was some redevelopment there, it may be more appropriate to zone some of the areas closer to the residential SD-NCR or SD-NCR2 with maybe the General Retail as SD-NCR.

Comm. Williams: I hear what you're saying. I'd like to go back to an earlier question about the definition of a neighborhood shopping center, which is not allowed in this case; yet, sporting goods stores, hardware

stores, tailor shops, etc. are allowed. Wouldn't you need a neighborhood retail center to be doing that, or will each of these uses be freestanding?

Mr. Klein: It could potentially be freestanding. In SD-NCR, you could have a neighborhood retail center with some of those uses in the center; whereas, the SD-NCR2 would probably require them to be more of the freestanding uses.

Comm. Jackson: Under 16-2-6.2 on our copies in blue, it says, ". . . and developed" and is then stricken out. Is that in or out of the language?

Mr. Klein: That is out.

Comm. Jackson: It doesn't follow, then, from what is immediately before it, which is, ". . . property zoned and developed as SD-NCR." Why don't you want it there? Are you not looking for this to be developed that way ever?

Ms. Shearer: Some of the properties could be zoned but not yet developed. We can strike it from the second sentence as well.

Comm. Jackson: That makes more sense. Then under the Bulk Regulations, are those property setbacks the same as the Neighborhood Commercial Retail?

Mr. Klein: Yes; they will not change.

Comm. Jackson: Does this option encourage developers to split up the property more?

Mr. Klein: I don't think it would encourage them to split up the property more. Both of these have a 10-acre minimum rule. A deviation is available in Section 16-3-9 that allows property under 10 acres to be zoned, but without the deviation approved by the Planning Commission and City Council, the 10 acres would be required. It would be difficult to do that.

Public Hearing

Seth Barry, 9419 Wenonga, Leawood, KS, appeared before the Planning Commission and made the following comments:

Mr. Barry: I want to speak in favor of this. We have realized some limitations in the LDO specific to uses, especially those that are in close proximity to residential areas. Being a resident of Leawood north of 435, I think there are limitations, especially with the commercial property available. We have worked with the owners of Ranchmart North in putting together a list of uses we think would be amicable in the Ranchmart case specifically. We think it can be applied more broadly as well. Again, we are in support of this. Thank you for your time.

John Petersen, Polsinelli Shugart Law Firm, appeared before the Planning Commission and made the following comments:

Mr. Petersen: I will appear on behalf of the applicant in the next case. In terms of some general comments about the text amendment that is being advanced and addressing some comments of Commissioner Williams, the concept of having a new tool of flexibility, particularly in situations of redevelopment, it provides a set of circumstances, whether it be Ranchmart or 123rd and State Line or other existing retail centers that were originally zoned under old categories, for owners and surrounding neighborhood groups to get together and take components of an existing center or development and zone them in components to

address issues. When a center wasn't built with the setback requirements that are in place today, this helps address that. It provides an opportunity for your use and the Governing Body's use to try to work through redevelopment, which I think you'll see more and more as some of the older properties in the city are looking to put a new face on. As someone who has done this a while and who has observed how the processes work, I would recommend the approval of this amendment, for no other reason than it provides you another opportunity to hopefully bring parties together.

As no one else 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: Pateidl, Jackson, Levitan, Williams and Ramsey.

Chair Rohlf: That takes us up to any further discussion.

Comm. Williams: I was a bit perplexed with the proposed zoning category and what is allowed and not allowed. I certainly appreciate Mr. Petersen's comments on the matter. He offered a description of what this can do for future development that I find compelling. It does, indeed, give property owners due flexibility and protects neighborhoods and the city's interest. Though I may question some of what is approved and not approved, maybe this isn't a bad addition to the LDO.

A motion to recommend approval of CASE 142-12 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO ARTICLE 2, ZONING DISTRICTS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to the creation of the new zoning district SD-NCR2, Planned Neighborhood Retail 2 – deleting the words “zoned and developed” as discussed – was made by Williams; seconded by Ramsey. Motion approved with a unanimous vote of 5-0. For: Pateidl, Jackson, Levitan, Williams and Ramsey.

CASE 52-12 – RANCHMART NORTH – LOT 3 – Request for approval of a Zoning to SD-NCR2 (Planned Neighborhood Retail 2), Preliminary Plan and Final Plan, located north of 95th Street and east of Mission Road. **(PUBLIC HEARING)**

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: Madame Chair and members of the Planning Commission, this is Case 52-12 – Ranchmart North, Lot 3, Request for approval of zoning to SD-NCR2, Planned Neighborhood Retail 2, Preliminary Plan and Final Plan, located north of 95th Street and east of Mission Road. The zoning district approved in the last case would be applied to the piece of property in the Ranchmart shopping center that is the former post office. This would allow only those uses listed in the Table of Uses. On the dais is a revised Staff Report, with regard to this application, including some agreements with the adjacent neighborhood and also the property owner of Ranchmart to include the additional following restrictions:

- Hours of operation as Monday through Friday: 8:00 a.m. to 8:00 p.m., Saturday: 10:00 a.m. to 6:00 p.m., Sunday: 10:00 a.m. to 5:00 p.m.
- All commercial uses shall limit deliveries to occur during normal business hours.
- All food-related uses shall be limited to retail sale only and shall prohibit food preparation or consumption of food onsite.
- All commercial uses shall prohibit outdoor storage.

Additionally, note a modification to Stipulation No. 2 to make it clear that the requirement that the Public Works permits be pulled prior to Final Plat is associated with Lot 3 that was approved by Governing Body on May 2, 2012. As you recall, the original application had the entire development of Ranchmart North included, and then it got broken up. The plat for the overall development was approved at that time. Everything except for Lot 3 was zoned, and Lot 3 was continued. Also, in bulk regulations, a minimum of 10

acres is required with a deviation available in 16-3-9(a) with regard to allowing a smaller property, especially one that is land-locked with development around. The other bulk regulations with regard to this particular piece of property are legal, non-conforming structures and therefore would not have to meet the bulk regulations. Staff is recommending approval of this application, and we're happy to answer any questions.

Comm. Williams: We are looking at rezoning just this lot of land, correct?

Mr. Klein: Yes.

Comm. Williams: With this specific lot of land, we are going beyond the zoning that we just approved to add limits of hours of operation?

Mr. Klein: Yes.

Comm. Williams: Have we done that on parcels before without knowing what the use of those parcels would be? I know we have done this on known uses, but I don't believe we have done so on unknown uses.

Mr. Klein: That is correct. This is more a result of the property owner of Ranchmart working with the adjacent neighborhood to find something they would be comfortable with as far as restrictions in addition to the uses allowed in the SD-NCR2 zoning.

Comm. Williams: I can fully understand and support the idea of a given use being limited, but I have a real problem with putting hour limitations on a rezoning.

Mr. Klein: Typically, we would not be able to do this as the city; however, the property owner has requested these stipulations as part of the agreement with the adjacent neighborhood.

Comm. Williams: So, the city is actually the applicant, though the property is owned by somebody else. The property owner is then asking for these restrictions.

Mr. Klein: Yes.

Public Hearing

John Petersen, Polsinelli Shughart Law Firm, appeared before the Planning Commission and made the following comments:

Mr. Petersen: I am appearing in regard to this application on behalf of Leawood Post Office, LLC and the Regnier Family Limited Partnership, the overall owner of Ranchmart, including Lot 3. As you know, we have been at this matter for a while. We actually left these chambers with a recommendation to the Governing Body to zone it as SD-NCR. After much discussion with restaurant utilization as part of the rezoning effort, we worked diligently to put in elements that we thought made sense for people to not only use our property but to also protect surrounding property owners. We had the opportunity to sit down with members of the surrounding neighborhood to try to find the equilibrium. There are a number of ways to do this. You can do it from a zoning category with all stipulations, trying to extract certain uses, or you can utilize some new categories such as this. We took the concept of the new zoning category and worked with the neighbors to see if there were any tweaks that we would agree to in terms of restricting our property, which would be stipulations. We balanced and weighed those, and they are reflected in the eight stipulations presented by the city for your consideration. In a perfect world, we wish we were bringing in a restaurant application, but we are comfortable taking this forward to City Council in the context we are presenting tonight. We don't have a specific user for the building, but we know what types of users would work there within the constraints of the new zoning category and the stipulations. We are comfortable moving forward and think it

will work well for everyone. Although we don't have a specific plan to present to you, which would typically be done in the context of having a specific tenant for the building, we intend to include, as part of any Revised, Preliminary or Final Plan, some additional landscaping along the eastern portion of the existing post office building. We will bring those details when we have an actual user. With that, after a lot of hard work and good faith discussion on both sides of the equation, we would ask for you to recommend approval of this application with the proposed stipulations. We would also ask for your support of the deviation to apply it to a tract smaller than 10 acres. I would also state that Mr. Otto Westerfield, Director of Real Estate for Johnson County Management, LLC, who basically runs and operates the center for the ownership, is also here if you have any questions.

Seth Barry, 9419 Wenonga, Leawood, KS, appeared before the Planning Commission and made the following comments:

Mr. Barry: We are, again, in favor of rezoning. After what we have been through with the old post office, part of our goal from the neighborhood standpoint was to find a low-impact set of uses that could be applied to the post office. We feel that the SD-NCR2 designation fully addresses that. The stipulations we have asked for somewhat mirror or are at least in the spirit of compromise to allow the property owner the ability to effectively use the building that is currently there, since it is a non-conforming building, but likewise have the use and be able to effectively use the building with those hours. We don't think that is really going to detract from the neighborhood. Again, we are in favor of the rezoning of Lot 3 to the SD-NCR2 zoning.

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

Chair Rohlf: That takes us up to any further discussion, leading to a motion, please.

Comm. Jackson: This seems to be a fairly good resolution to what was a pretty contentious situation at one time.

A motion to recommend approval of CASE 52-12 – RANCHMART NORTH – Request for approval of a zoning to SD-NCR2 [Planned Neighborhood Retail 2], Preliminary Plan and Final Plan, located north of 95th Street and east of Mission Road – was made by Jackson; seconded by Williams. Motion approved with a unanimous vote of 5-0. For: Pateidl, Jackson, Levitan, Williams and Ramsey.

CASE 115-12 – LEAWOOD FOUNTAIN PLAZA – SIGN CRITERIA – Request of a Final Sign Plan, located south of College Boulevard and east of Nall Avenue.

Staff Presentation:

Senior Planner Joe Rexwinkle made the following presentation:

Mr. Rexwinkle: Madame Chair and members of the commission, this is Case 115-12 – Request for approval of a Final Sign Plan for Sign Criteria for Leawood Fountain Plaza, which is an existing office development at the southeast corner of College and Nall Avenue. This development does not currently have sign criteria, and the applicant is requesting approval of criteria to guide future tenant signage. The development consists of three office buildings, and the proposed criteria would permit one monument sign and two wall signs for each building. Only the building address and name of one tenant would be permitted on the monument sign. Only tenant names and logos are permitted for the wall signs, and the maximum character height is limited to 24 inches with the maximum multi-line height limited to 36 inches. The criteria prohibit wall signs from obstructing a window and, if illuminated, restrict the signs to channel letters with

green faces and white illumination only. If not illuminated, the letters must be aluminum and painted green to match the faces of the channel letters. The applicant is seeking one deviation from the Leawood Development Ordinance to Section 16-4-6.13, which limits the number of signs to two wall or canopy signs per building with the possibility of one monument sign in lieu of one of the two wall or canopy signs. If granted, the deviation permits the proposed one monument sign and two wall signs per building. Staff is supportive of the proposed deviation. All other proposed criteria comply with the Leawood Development Ordinance, and staff is recommending approval.

Applicant Presentation:

John Sweeney, Reese Commercial, 11601 Granada, Leawood, KS, appeared before the Planning Commission and made the following comments:

Mr. Sweeney: These buildings were constructed in the early- to mid-'80s, so they did not have sign criteria. We are establishing them now because we are at a considerable disadvantage to our competition in the area. Other buildings have signage for tenants, and we do not. We simply want signage comparable to what other office complexes have in the area.

Chair Rohlf: It seems pretty clear-cut. Does anyone have any questions for the applicant? Unless we have further discussion, I would ask for a motion.

A motion to recommend approval of CASE 115-12 – LEAWOOD FOUNTAIN PLAZA – SIGN CRITERIA – Request for a Final Sign Plan, located south of College Boulevard and east of Nall Avenue – was made by Williams; seconded by Ramsey. Motion approved with a unanimous vote of 5-0. For: Pateidl, Jackson, Levitan, Williams and Ramsey.

CASE 120-12 – 2020 OFFICE BUILDING – PARKING LOT EXPANSION – Request for approval of a Final Plan, located north of 89th Street and west of State Line Road.

Staff Presentation:

City Planner Justin Peterson made the following comments:

Mr. Peterson: Madame Chair and members of the Planning Commission, this is Case 120-12 – Request for approval of a Final Plan for a parking lot expansion for the office building at 2020 W. 89th Street. The site contains an existing 87,000 sq. ft., 3-story office building at the southeast corner of the site. No additions or exterior modifications to the building are proposed with this application. The site currently has 225 parking spaces. The applicant is proposing to expand the parking lot to the northwest by removing 17 existing parking spaces and adding 141 parking spaces. This will provide a total of 349 surface parking spaces. With the addition, the property will have a 4.0 parking ratio, which is permitted in the SD-O District. A series of parking lot islands with a concrete sidewalk ramp extend the length of the existing parking lot. The applicant is proposing to extend this pedestrian path within the expansion. Additionally, crosswalks will be installed to connect these pedestrian parking lot islands from the new expansion to the building. The applicant is proposing to plant 18 red sunset maple trees within the islands and around the perimeter of the parking lot expansion. A 36-foot pedestrian access easement is proposed along the west property line and will extend up to the north property line. Staff is recommending this be widened to 60 feet. If, in the future, the city obtains an easement on the property to the north, a future pedestrian trail could be established from the pedestrian trails on the west side of Dykes Branch, across Dykes Branch, and over to the property on the north. Additionally, staff is recommending two crosswalks across the two driveways along 89th Street. Staff is also recommending additional landscaping within the existing parking lot islands and replacement of all dead or missing landscaping on the property. Staff recommends approval of this case, and I would be happy to answer any questions.

Applicant Presentation:

Curtis Holland, Polsinelli Shughart Law Firm, appeared before the Planning Commission and made the following comments:

Mr. Holland: I am here on behalf of the property owners, Wells Fund XI – Fund XII. I essentially represent Piedmont Office Realty, which owns this property. If you're not familiar with the property itself, it is probably because you can't see it from any surrounding properties. It is a 7-acre tract, but you can't see it off State Line Road until you get on 89th Street and go back into the property. At that point, you'll notice a large area of very mature trees that literally bury the property itself, blocking visibility from surrounding properties. Our application before you is to expand the parking lot. The Preliminary Plan approved for this building and the parking lot was approved in 1989 as a three-phase construction project. We built Phases 1 and 2, but we did not build all the parking area that was permitted to be constructed. We are asking for you to approve a Final Plan to expand the parking lot area to increase the parking space count to 349 spaces. Essentially, it would match what was approved in 1983 when it was originally approved. Some of you may recall that we took this same application through the city back in 2006. At that time, the property owner chose not to move forward with the expansion. It was related to a possible tenant moving into the building, and the tenant did not come in. There is new activity at the property. We do have a major tenant coming in that is not yet public, but you will know the name when it is announced. The parking lot expansion is necessary to assist not just with that tenant but the ultimate use of the building moving forward. As staff mentioned, there is a pedestrian trail easement we are granting to the city along the west side of the property, which was also something we agreed to do back in 2006. We've continued to agree to do that here. Between our last time here in 2006 and now have been some code changes that require us to upgrade the parking lot in terms of some landscaping islands. B&P code requirements have also come online since we were here last, so we are now providing for mechanisms to deal with storm water runoff and clean it before it gets to the drainage creek. With that, we are in agreement with staff in terms of the stipulations. We have worked with them on the design and have agreed to upgrade the parking lot to meet the current code requirements. I would stand for any questions.

Chair Rohlf: We have the drawings and the one photo. Will the expansion, then, pretty much take care of the remaining part of this piece? It looks like there is still a bit left on the very north end.

Mr. Holland: There would be room for additional parking in the future if the future phase of the building is ever constructed. It is not anticipated at this point in time that we would seek that right now. We are maximizing the parking count under the current code, which is four spaces per thousand square feet. We don't anticipate moving forward with additional expansion at this time, but it might change. If that happens, we would come back before you with a new application.

Comm. Jackson: Do you have to remove any of those mature trees to make the parking lot?

Mr. Holland: No, it is in the open area with no tree removal necessary.

Chair Rohlf: If there are no other questions, it takes us to discussion. It appears the applicant agrees to the stipulations, so I would ask for a motion.

A motion to recommend approval of CASE 120-12 – 2020 W. 89TH STREET BUILDING PARKING LOT – Request for a Final Plan, located at 2020 W. 89th Street and State Line Road with 12 staff recommendations – was made by Jackson; seconded by Ramsey. Motion approved with a unanimous vote of 5-0. For: Pateidl, Jackson, Levitan, Williams and Ramsey.

CASE 134-12 – MOLLE OFF-SITE PARKING FOR NEW VEHICLES – Request for approval of a Special Use Permit, located south of 104th Street and west of State Line Road. **(Public Hearing)**

Staff Presentation:

City Planner Justin Peterson made the following presentation:

Mr. Peterson: Madame Chair and members of the Planning Commission, this is Case 134-12 – Request for approval of a Special Use Permit for Molle off-site parking for new vehicles. Molle Automotive Group includes Toyota, Audi, Scion and Volkswagen. Staff is supportive of this Special Use Permit and recommends approval. I would be happy to answer any questions.

Chair Rohlf: This is probably similar to the Staff Report from last year and the year before and the seven years prior to that, correct?

Mr. Klein: Pretty much.

Applicant Presentation:

Curtis Holland, Polsinelli Shughart Law Firm, Leawood, KS, appeared before the Planning Commission and made the following comments:

Mr. Holland: I am here on behalf of Molle Properties, the owner of the property. Yes, we have been here a number of times in the past, and the Staff Report hasn't changed much, if at all. It should be a case very familiar to you, so we don't need to go into a great explanation of what we're doing unless you have specific questions about it. We were here in October of 2011, 2010, 2009, 2008, 2007 and so on. The one request that I have asked each time is to please consider granting us a longer period of time than one year. In this particular case, we are not asking for the moon, but maybe three years. The reasons really have to do with cost and efficiency. We keep coming back year after year, and the applicant and the staff spend a lot of time and money rehearsing a case that has been heard six or seven different times already. There have been no changes, really, to the area. There is no reason for us to continue to limit this to a one-year term. We are happy to come back each year, but honestly, I think we could all spend our time and money a little more wisely. There have been no issues with the property, no troubles with vandalism, no property damage or any kind of impact to the surrounding area. It is well maintained. We only request that you consider a longer period of time on the SUP, but we will accept any recommendation for approval. With that, I would stand for any questions.

Chair Rohlf: Are all these dealerships located on 103rd Street?

Mr. Holland: The Toyota dealership is on 103rd Street, yes.

Chair Rohlf: It seems like there was some discussion about that dealership changing.

Mr. Holland: Not Toyota.

Chair Rohlf: Thank you. I would ask staff for clarification on the limits of the SUP. Is there any reason we continue to use the one year?

Mr. Klein: The city just feels more comfortable keeping it one year at a time. You just never know when things could actually fall into place and change. The area has a number of issues associated with it, but the city just feels more comfortable keeping it at one year in case something changes.

Chair Rohlf: 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: Pateidl, Jackson, Levitan, Williams and Ramsey.

Comm. Williams: I understand Mark's comments on the city's concern about something happening in the area, but these folks have been doing this for seven years now, and not seeing any immediate plan for the future, some extension of the Special Use Permit would make some sense, even if it is two years. I would be supportive of changing it to two years and see if Council is willing to take that next step.

Comm. Ramsey: If you make that motion, I'll second it.

A motion to recommend approval of CASE 134-12 – MOLLE OFF-SITE PARKING FOR NEW VEHICLES – Request for a Special Use Permit for an existing parking lot for new vehicles, located north of 104th Street and west of State Line Road with the seven staff stipulations, modifying No. 1 to extend the term to two years – was made by Williams; seconded by Ramsey. Motion approved with a unanimous vote of 5-0. For: Pateidl, Jackson, Levitan, Williams and Ramsey.

CASE 137-12 – CAMELOT COURT – RED DOOR GRILL – Request for approval of a Final Plan for a Tenant Finish, located at the northeast corner of 119th Street and Roe Avenue.

Staff Presentation:

Senior Planner Joe Rexwinkle made the following presentation:

Mr. Rexwinkle: Madame Chair and members of the Planning Commission, this is Case 137-12 – Request for approval of a Final Plan for a Tenant Finish for Red Door Grill, a new tenant at Camelot Court. The tenant space occupies the former Paddy O'Quigley's space at the southwest corner of the main building. The tenant proposes to utilize the existing sunken outdoor patio along the west storefront as an outdoor dining area, just as the previous tenant did but with some modifications. The plans propose the removal of the existing awning above this area and replacing it with a cedar pergola. Vertical cedar screen walls are proposed along the west side of the patio, and black painted steel railings will be extended southward along the west side of the patio, closing off access to the existing stairway, which leads to the existing tenant entrance on the west storefront. The stairway is proposed to be converted from a stairway to a concrete bench and fire pit, and the existing tenant entrance on the west storefront will be closed and relocated to the south storefront. The fire pit is proposed to be a cast-in-place concrete fireplace with a steel mesh screen. The plans propose the installation of a prefabricated cooler immediately north of the tenant space behind the building. This cooler is proposed to measure 17 feet by 13 feet and 8 feet in height. The storefront elevations are proposed to consist of rough-swain oak wood rain screen and glass storefront along the west elevation. The plans provided proposed a new tenant entrance, the wood rain screen and a red plaster wall along the south elevation; however, the applicant has since revised the plans for the south elevation to replace the red plaster wall with a glass storefront system. Copies of these revised plans have been provided to you this evening. Further details on the proposed revision may be provided by the applicant. All existing landscaping surrounding the tenant storefront is proposed to remain, and the plans propose additional landscaping on the south side of the storefront. Staff is supportive of the plans, including the proposed revisions before you this evening, and we are recommending approval, subject to the stipulations in the report.

Comm. Williams: Does Camelot Court have development guidelines stating the materials for exterior use, especially?

Mr. Rexwinkle: They have guidelines, but they're not for tenant storefront.

Comm. Williams: The tenant storefronts are virtually the same in the center with a glass curtain wall, brick and some stucco. In terms of the city's approved materials for commercial properties like this, does the rough cedar fall in an approved category?

Mr. Rexwinkle: It is not listed as prohibited, so it would be allowed.

Comm. Ramsey: The new plans are in the dais tonight?

Mr. Rexwinkle: That is their latest revision provided to us this afternoon.

Comm. Ramsey: It was previously a red material.

Mr. Rexwinkle: Yes, and they are replacing it with the glass storefront.

Applicant Presentation:

John Petersen, Polsinelli Shughart Law Firm, appeared before the Planning Commission and made the following comments:

Mr. Petersen: I am appearing on behalf of 95 West LP, who is the owner of Camelot Shopping Center. The reason I've been granted the privilege of introducing the applicant, Mr. Paul Minto of Urban Prairie Architects, is to really put this in context with the very good issue that was raised by Commissioner Williams. I assume you know that Camelot has been the focus of that ownership group and the subject of ongoing discussions with planning staff and Governing Body. We have a very exciting redevelopment of Camelot. Today, we filed a rezoning application for the entire shopping center that will allow us to go to a zoning category to provide some modifications to the grocery store and the drugstore, to modernize the parking lot and to make a significant change to the architectural features, façade and lighting. We just participated last week in a work session with the Governing Body for a CID in another part of the city, and we will be making application about this to bring some exciting concepts forward for Camelot, which is in a very vibrant retail corner in the Kansas City metropolitan area. I go through that to emphasize that the concept that has been presented by Mr. Minto this evening has been developed in close cooperation with the shopping center owner in terms of utilization of building materials that staff is supporting and in terms of the layout of the ingress and egress of the store. I think you will see, as we bring in further renovations of the center, they're going to meet very nicely with what's being proposed here. The reason it is out of sync is tenant demand. We are coordinating construction work to make sure it works well for Red Door.

Paul Minto, Urban Prairie Architecture, 2511 W. 47th Terrace, Westwood, KS, appeared before the Planning Commission and made the following comments:

Mr. Minto: The owner is very excited about having the opportunity to take the space. The biggest change we made was to relocate the entry from the west side to the south side. The large issue there was ADA accessibility. The building has been there for quite a while, and it doesn't meet a lot of the requirements today. This also helps with flow on the inside, so it was an economical move in terms of floor plan as well. The second thing we ought to make sure everybody understands is the big green awning that has been out there since before my time, probably, will come down. We are proposing to replace that with a nice solid wood pergola. We will continue to utilize the outdoor space there. The third change is the existing stairway that kind of goes down to where the old Paddy O'Quigley's door would have been had we allowed it to stay. That won't get significant use anymore. It has some repair issues, and it was actually a better use of the property if we can capture it and use it for serving space as well. We are trying to bring additional life to the corner of the building and make it more ADA-accessible and bring up the whole end of the building in general. This afternoon was quite a volley of emails working out the final resolution, and I would like to

personally thank the staff for their assistance in getting us to this point this evening. Are there any particular questions you have?

Comm. Williams: Would you explain to us the design philosophy of the oak rain screen? Mr. Petersen made a comment about a future transformation of this center to make it more modern with quality improvements. How does the wood rain screen fit into that concept?

Mr. Minto: I can't speak for the whole center. The particular thought that we had on this was the Red Door Grill has a mantra of Food, Fun and Value. Their food is tasty and healthy. Everything in there is going to be wood-fired with a grill and rotisserie. Along those lines, the retail business is all about branding and identification. The thought was that we would stick with the natural elements but do it in a contemporary thought. You walk in the door, and there is a stack of pinion wood in the vestibule. You smell it. You see wood. Right in the back, the display kitchen is going with the flames. You go back outside and are surrounded by natural materials in a casual dining sense. It is a combination of healthy, light, natural and contemporary.

Comm. Williams: In this particular case, is the oak going to be with a sealed finish to control the coloring?

Mr. Minto: Yes, a sealant will control decay. It will be a water barn German sealant, so after it is applied and dry, it will not present any sheen on it.

Comm. Williams: Is most of this material under cover?

Mr. Minto: Everything is under cover except for the pergola.

Comm. Williams: So, it will not get a lot of exposure, except on the lower portions and driving rain and snow.

Mr. Minto: I would concur. In the current configuration, there is an arch. The soffit at that spot is a little higher, so the opportunity for weather to get farther back in underneath the cover is a little greater.

Comm. Williams: That, and the strong sunshine, which has a tendency to destroy wood preservative materials of all nature.

Comm. Jackson: Could we hear how this fits into the whole scheme of the shopping center?

Mr. Petersen: I would like to introduce Mr. Jim Harpool, Director of Development for the shopping center, and he can give you the context.

Jim Harpool, Director of Development for MD Management, 10585 W. 157th Terrace, Overland Park, appeared before the Planning Commission and made the following comments:

Mr. Harpool: We retained Klover Architects about six months ago to start working on redevelopment and redesign of Camelot Court Shopping Center. Klover and Urban have been working about four months, maybe a bit longer. This is a matter of sequence. In order for Red Door to go to this location versus another city, there is a time frame that was necessary to meet that we couldn't really meet on the entire center. We have coordinated the design, and when we submit the entire center, we will update those canopies and everything around the center. We have presented everything that is under cover storefront-back except for the patio. Our submittal has all the canopy and new sign criteria, design criteria, storefront criteria and is all part of that package.

Comm. Williams: Are you going to change the storefronts for the tenants there today?

Mr. Harpool: We will change storefronts. We will change signage. We will try to update the look. We've had a number of meetings with staff.

Comm. Williams: In terms of the update, you're going to change these tenant entrances to what materials? Will it be more of the trendy rain screen look?

Mr. Harpool: It's kind of hard to sit here and describe the design without going through all the drawings, but the goal is a number of things. One is to expand in-house about 20,000 feet and relocate some of the existing tenants into some of the vacant spaces, really define the corners and entries and update the site lighting and pedestrian connections. We will probably soften up the concrete tile that is so heavy on that entire canopy strip on the entire center. We will introduce some new materials and give it a new look. At the same time, we've got to keep all the tenants open and operating. That's a real challenge, but we think we've developed a plan and a design that you will find very appealing. John also raises an important point. If, for some reason, approval weren't to be granted to update the center, we have tried to make sure that all the dark storefront you could not see through on the south side of Paddy O'Quigley's is opened up. We think that will liven up the sidewalk and create more activity on that south side where it gets a bit mundane. We think they've done a good job on those kinds of things. All in all, we're pleased. We're the ones that led the effort to take out the long red wall and do something else with that by creating a planter and some steps, making it a little safer and more ADA friendly. We're pleased with the work that Klover and Urban have done over the last four months.

Chair Rohlf: The next time you might be before us, we would perhaps see a Preliminary Plan for the overall changes to the shopping center?

Mr. Harpool: Yes.

Chair Rohlf: That would be good because it would be difficult, now that we know this, to see individual storefronts brought in.

Mr. Harpool: You will see landscaping, lighting and building design for the entire center.

Chair Rohlf: Then the revisions to this particular storefront are pretty consistent with what you see moving forward, so it would not require them to do any further changes to their building.

Mr. Harpool: The only changes that will occur to their building will be in the canopy itself.

Chair Rohlf: If there are no other questions, it takes us up to any discussion on the case.

Comm. Williams: I appreciate what the applicant has attempted to do on the south side by opening up the wall and providing the storefront and sidewalk improvements and such. I think the improvements that they're proposing to the patio will be a real plus for the center as a whole, particularly that location. I do have issue, however, with the rain screen approach. I guess in my trade, it has become almost a very trendy thing to do. Some places do it better than others. Some places, it is appropriate; others, I don't think it is. With the dramatic change that it produces for Camelot Court and the continuity that is there today and the continuity we typically see in the shopping centers throughout the city, this is a big departure. If they are talking about changing the look of the center going forward to supposedly give it a more modern, high quality improvement, I'd sure like to see what the rest of it looks like before I'd sign off on an oak screen especially. I appreciate the comment about sealing the material to help prevent rot and so forth, but the reality of the products and materials is that you can put all the topical coatings on it that you want, but it will not preserve

the material in the long term. We're not talking something as durable as the masonry products that are part of our LDO that we encourage on other developments. It's a trend to do these. UMB Bank has done rain screens on their new bank in the Prairie Village Shopping Center. If you've seen it lately, you could get some idea of what we'd be looking forward to here. It is a modeled look in terms of coloration with dark to light, and it will change over time. The lower sections will require maintenance and upkeep, which is not our purview, but certainly will become a city code issue. Again, without seeing the proposed design for the rest of the facility, I'm really uncomfortable with this level of departure from what we have there currently.

Chair Rohlf: Does staff has any comments on that particular material?

Mr. Coleman: I would just say that the rain screen is attached with clips to the existing façade, so if the Red Door goes out, they could be removed very easily, and it would be back to the wall you see today.

Chair Rohlf: It is not a permanent installation.

Mr. Coleman: Where they've removed the wall, it is, but where they've put the wood slats, it is not. Most of it is under the canopy, so it will not get a lot of weathering.

Comm. Ramsey: Is this an authorized material?

Mr. Coleman: We don't have anything that would prohibit the material; it is allowed. It is wood; it is just used in a different way.

Comm. Ramsey: Speaking to Commissioner Williams' concerns, what happens if this just starts unraveling?

Mr. Coleman: If it starts deteriorating and they don't replace it, we would send them a notice to fix it.

Mr. Petersen: We were a bit hesitant to talk about future plans for the center, but we'd like to emphasize that the application was designed to fit and be consistent with the current architecture even if nothing else is done with Camelot. I think your staff's recommendation stands on this point because they can't anticipate other things will change. I want you to be aware that the new look does not have to be exactly the same. It needs to have good materials. This is actually a weathered look. This is not meant to minimize the issue, but it will weather better than the cloth awning that was on there for years. I don't know if staff ever told the former inhabitant the awning was worn. We will acknowledge that if it looks like it is starting to deteriorate and not have the look for which the approval was made, we would be subject to code to come in to bring it to the look required. We would ask to be able to move forward with this particular application. We would like to get these guys open for business. It just seems like the first step in rejuvenating that side of the center.

Chair Rohlf: Mr. Petersen, is Red Door Grill the one and only, or is it in other places?

Mr. Minto: The gentleman opening the restaurant is Gary Zackinelli, who has owned countless franchises and has been in the food industry for decades. He also has been involved in full-service restaurants. His most recent one is out in Grand Junction, Colorado. This particular restaurant and the concept is the first time he has done this with the wood firing and healthy fare.

Comm. Jackson: I thought you were saying that this design fit into what you were proposing in the future, but you are saying it fits in the current design.

Mr. Petersen: We don't want to be presumptuous. We have a very exciting tenant to fill a vacant space. We looked at it from two perspectives. If it is approved, is it consistent? Can we stand on the fact that it fits in if it

is two years, five years or never that the center would be upgraded? Does it make sense with the current architecture? That is the basis upon which it was reviewed by our architectural team, the shopping center owner and your professional staff. Having said that, knowing we were moving forward, we wanted to make sure we weren't supporting, as a landlord to a tenant, something that would be totally out of line with the new design. They looked at it both ways.

Chair Rohlf: Are there any other questions for the applicant? Then if there are no other comments, I would ask for a motion.

Comm. Williams: I'll just make one closing comment. With the redesign of the rest of the center, I hope it doesn't look like this.

A motion to recommend approval of CASE 137-12 – CAMELOT COURT – RED DOOR GRILL – Request for approval of a Final Plan for a Tenant Finish, located at the northeast corner of 119th Street and Roe Avenue with four staff recommendations – was made by Jackson; seconded by Pateidl. Motion approved with a vote of 4-1. For: Pateidl, Levitan, Jackson and Ramsey. Opposed: Williams.

CASE 143-12 - LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6.13, PERMANENT SIGN REGULATIONS - Request for approval of an amendment to the Leawood Development Ordinance, pertaining to signage for public/semi-public campuses. **(PUBLIC HEARING)**

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: Madame Chair and members of the commission, this is Case 143-12 – Leawood Development Ordinance Amendment to Section 16-4-6.13 – Permanent Sign Regulations, pertaining to signage for public/semi-public campuses. This is a topic staff has discussed with the Planning Commission at several different work sessions. It is an attempt to address unique situations in which we may have campus-like settings in the City of Leawood as opposed to a shopping center or office development. The ordinance is specifically written for public and semi-public institutions of 10 acres or more to include government uses, churches, schools and other similar uses. It addresses several different types of signage found in those types of scenes, such as development monument signs, wall signs, directory signs, directional signs, banners on light poles and entry door signs. We are trying to provide more limitations with regard to the perimeter of the site adjacent to the public right-of-way and/or another property with allowing more flexibility with regard to the interior of the site that is not as visible from public rights-of-way and other neighboring properties.

I would like to go through the different sign types addressed. The first one is development monument signs with the following criteria:

- One per frontage would be allowed; however, if the frontage is along a public right-of-way that exceeded 2,500 square feet, one additional monument sign would be allowed. Currently, Church of the Resurrection is the only one that currently meets this criterion because it extends from Nall to Roe
- Maximum square feet of 50, which matches what the city currently allows: 50 square feet, 6 feet in height and 10 feet in width.
- The sign type would be monument only.
- Lighting would be halo illuminated, externally illuminated or not illuminated. That would not allow individually illuminated letters; however, it would allow the soft glow of pin mounted letters with a light behind and ground mounted lighting shining up on the sign. The location would be a minimum of 5 feet from the public right-of-way and outside of all

sight triangles. We typically check this anyway and do not currently have limitations on monument signs and thought it would be nice to begin addressing the issue.

The next sign we would like to address is wall signs with the following criteria:

- Two per building, which is the same that we currently allow in the LDO. In this case, we would allow one additional wall sign in lieu of a monument sign. Rather than allowing the maximum size be 5% of the façade or 200 square feet, the additional sign would be limited to 50 square feet because it would be tied to the monument sign that was given up.
- Maximum size is what we currently have in the LDO, which is the lesser of 5% of the building façade or 200 square feet, with the exception of 50 square feet if they have a third one in lieu of a monument sign.
- Lighting is internally illuminated, halo illuminated, externally illuminated or not illuminated only. That opens it up a bit more by allowing internally illuminated letters that are maybe on a retail shopping center.

The next category is directory signs (signs that list various locations within the development with directional arrows or something similar) These are different from directional signs, which we would not allow to show specific locations as opposed to arrows to a general area. The directory signs would have the following criteria:

- Limited to one per frontage or side within the exterior setback, which is typically 40 feet; however, a SUP on an AG property would allow for 50 feet. This is trying to limit one per side per frontage on the front of the building. On the interior of the site, one sign would be allowed per 5 acres of the overall development campus.
- Maximum size is 18 square feet with a maximum height of 6 feet.
- Sign type would be monument or post and panel only.
- Lighting would be externally illuminated or not illuminated.
- Location would be per the approved development plan and outside of all site triangles. We have worded it that way because each individual campus may have unique situations, and it would be difficult to specify exact locations for the signage in each campus.

The next sign we would like to address is directional signs. We currently allow two per site, which makes it a bit more flexible since campuses often have more than one building. Directional signs will have the following criteria:

- Two per building as opposed to two per site; however, none shall be located within any required building setbacks. This will limit it along the perimeter.
- Maximum size is 6 square feet, which is in line with our current ordinance.
- Maximum height if the sign is only 4 square feet is 4 feet. If it is more than 4 square feet, the maximum height is 3 feet, which is typically what we see with banks and other types of directional signs.
- Sign type would be monument or post and panel.
- Lighting is externally illuminated or not illuminated only.
- Location would be per approved development plan and outside of all sight triangles with the recognition that it would be difficult to dictate where these types of signs should go; it will depend on the development itself.

The next sign type is banners mounted on light poles, which we would allow with the following criteria:

- No more than two per light pole.
- Maximum size is 9 square feet with a maximum height of 6 feet and maximum width of 18 inches. The minimum vertical clearance would be 10 feet.
- Lighting is externally illuminated or not illuminated.

The last category would be entry door signs with the following criteria:

- One per entrance; however, these would function for people once they approach the entrance to identify what that entrance is for. Therefore, they would be limited to 2 square feet.
- Sign type would be wall only.
- Lighting is externally illuminated or not illuminated only.
- Location would be directly on or adjacent to the entry door.

The case following this is related to this case. It modifies our current definition of directory signs, which states that directory signs identify the location of businesses. Since a campus, often times, does not have businesses, the modification would change the definition from, "Any structure summarizing business within a complex identifying business locations" to "Any structure summarizing business and uses or destinations within a complex identifying locations." This makes it more generic to apply to campuses. It also adds an additional sign type we have talked about before with post and panel. We prohibit pole signs; however, post and panel would actually have more than one post supporting the sign. A triangular sign with three or four would be allowed. The definition being proposed with that is "A sign elevated above the ground by using two or more posts that are visible between the ground and the sign panel." Staff is recommending approval of this amendment, and we would be happy to answer any questions.

Comm. Jackson: Would these campuses be Church of the Resurrection and St. Michaels?

Mr. Klein: St. Michael's is one I did not actually look at. Prairie Star Elementary and Middle School would be included. Leawood Elementary and Middle School would be another one, as would the Leawood Justice Center. We were trying to limit it to public and semi-public uses so we didn't get into a situation with Town Center Plaza or One Nineteen or other shopping centers requesting this type of signage; we wanted to recognize the unique identity of a campus as opposed to shopping area.

Comm. Jackson: Is there any requirement that these signs have a certain look or feel to them?

Mr. Klein: That would be approved by the Planning Commission and Governing Body when the applications came forth.

Comm. Jackson: Was it Church of the Resurrection that had a lot of pole signs?

Mr. Klein: Church of the Resurrection does have a number of pole signs. I believe they were approved in 2003 or 2004.

Comm. Jackson: So those would be grandfathered in, correct?

Mr. Klein: Yes, they are now.

Comm. Jackson: In one section was the ability to have three signs on one building.

Mr. Klein: Yes, the idea is if a monument sign is allowed on the public right-of-way, it could be given up, and then a third wall sign would be allowed in lieu of it.

Comm. Jackson: Would that apply to the AMC building, also?

Mr. Klein: It would not because this is limited to public and semi-public uses; that use is retail.

Public Hearing

Dick Cooper, staff member of Church of the Resurrection, 13720 Roe Avenue, Leawood, KS, appeared before the Planning Commission and made the following comments:

Mr. Cooper: I want to thank you for the opportunity to make some comments. We have had a great opportunity to work with Mark and the planning staff to get feedback and provide feedback. The church has been in its current location since 1992. We built our first sanctuary in 1994, and it seems like every few years, we are doing something more out there in the way of other improvements to the site. Our master plan allows for over 900,000 square feet of buildings and 3,500 parking spaces. We are at 280,000 square feet right now. We are in the process right now of selecting an architect for the next sanctuary. The church is very dynamic and continues to grow and add ministry. We refer to this as campus way-finding, which is hugely important to us. We have nearly 600,000 visitors a year. That includes worship on weekends, mid-week programming and conferences. In fact, we have a conference every summer of 2,500 people who come in from all parts of the country for a week. A few weeks ago, we had our leadership institute, which we've been doing for 15 years. We had 2,100 registrants for that, and they use the entire campus. About eight years ago, the Planning Commission and City Council approved our current way-finding. We called it an interior sign package. You come on the site, and there is a sign that helps you figure out where you need to go or identifies where you are headed. We found out very quickly that it's not very adequate and not intuitive. We thought we were doing the right things: you drive by a sign and it tells you what building the ministries are in. It simply is not intuitive and doesn't work. In fact, often times at night, people will come looking for their cancer support group or divorce care group or a pastor, and I stop them and ask to help them because they are in the wrong building. From one end of a building to the other is $\frac{1}{4}$ mile. You can only imagine how bad the experience is. We really are thinking very hard about how to do it much better. In 2009, we hired Gould Evans Associates, who has done quite a bit of work here in the city, to help us better understand what campus way-finding can look like. In about two years, we have looked at a variety of campuses and what makes sense and is intuitive. We have really come to the idea that we want to comprehensively change how we even look at signage and way-finding. Maybe the analogy I will use is a funnel with the open end at the top and the small end at the bottom. The open end gives you really broad information. As you go down, you get more and more information. The way we are looking at this is to evaluate what information people need in the metropolitan area to find our campus. They just need to know how to find our campus. Then once they are on the campus, there is another sign that lists choices. Closer to the building, the information gets more detailed, and by the time they find the right parking lot, they become pedestrians. Once they are in pedestrian mode, they see information that helps reinforce where they need to go. In the past, we put a lot of information on the big signs by the entrances of the buildings. When people drive by at 30 miles per hour, they don't have time to comprehend the information.

(Refers to display) The other thing we figured out is we thought we were being clever eight years ago. We called one building the East Building and one the West Building. All of our directories were written around this. Other than being two points on a compass, it doesn't make a lot of sense. Now that we are thinking about our next sanctuary, the current designations would not allow for a West-West Building. We realize we made a mistake. We are going to make it simple and have Building A, Building B, Building C and so on. You may know that on other campuses are building designators on their buildings. We are not suggesting those types of things, but we believe we need to let people know what building they are going to. Throughout this whole process, we have looked at very professional-looking signs, getting away from the signs we currently have. We wanted to just re-face our signs and put new content on them. After we approached the city, we were asked to submit an application. Last April, we did so. In September, we sat down with staff and really had some great meetings and talked about our challenges. Looking at our site, we have a half a mile from Roe Avenue to Nall, and we have nearly 75 acres of land. We have seven entrances off the public right-of-way. You can come in the church from one and not even know you are on church property. The building is 2,000 feet away, but you don't know if it is even the church at a couple of our entrances. The new monument ordinance, as Mark has explained, will help with some of those types of things. In what we will call Building B, we have five specific entrances. Building A has eight entrances. Not only do we want to get visitors to the right parking and the right building, but also hopefully to the right

entrances so they are not spending time trying to figure out where to go. Once inside the building, part of our way-finding package is to redo all of the directories and interior signage. We think the improvements to the way-finding will be a little over \$300,000 just for signage. It is a lot of money, but we think it is important that the church is committed to good way-finding, making sure it is easy and intuitive to find where to go. We would like to have a world-class program with a great sign package that will allow us to develop another wing and sanctuary and grow with us. We are not the same church we were in 1998. We are not the same church as when we finished the West Building. In fact, in fall of 2013, the St. Paul School of Theology will be holding seminary classes here at the church. We continue to find other activities that bring a lot of visitors to our campus.

The reason I am here is I would like to ask the Planning Commission to consider postponing voting on this tonight. We would like to have a couple more meetings with the planning staff. We received the summary report just last week. I haven't been able to assemble our consultants. We have a couple of concerns, and I think in 30 days, we can have a couple meetings. We would like to have the opportunity to have a little more conversation with the staff. We have some problems we would like to try to figure out and come back. Those are my remarks. I'm happy to answer any questions I can.

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

Chair Rohlf: I appreciate Mr. Cooper's comments as it might apply to the Church of the Resurrection campus, but Mark, I understand that this language refers to public and semi-public campuses in general. Is that correct? Would there be a need for you to further visit with the Church of the Resurrection? I know we haven't seen their proposed plan, so I'm not sure if there is room for more negotiation.

Mr. Klein: You are absolutely right; this is for campuses in general. This is not written specifically for one. Mr. Cooper has seen what we have been working on, and we have had a couple of good meetings. He has some specific concerns that what he would bring forward would not be addressed. We were trying to write this in general for campuses.

Chair Rohlf: Do you have an understanding what it is they might be concerned about? Have we overlooked something, not just with respect to Church of the Resurrection, but perhaps another church or school?

Mr. Klein: We tried to look at it very comprehensively with the different types of signs. It actually was very beneficial to meet with Church of the Resurrection so we could see what they were doing because we really haven't had a firsthand opportunity to look at their different types of needs. We tried to meet that as well as we could and still be in the parameters of the city. I know that there are a couple of concerns with regard to the height of the directional signs and the number of directory signs, especially with regard to concerns with expanding. If they bring in another building and the number of signs is based on acres, Mr. Cooper has indicated concerns that it might meet what they currently have but not with another building. Basically, I tried to see how many signs would apply to what they have on their site currently, and it would be 13 directory signs.

Comm. Ramsey: Does it cause us a problem to meet their request to delay it 30 days, or is it not germane and we can go forward with this?

Mr. Klein: Staff is comfortable with what we have. Church of the Resurrection would basically need to fit in this ordinance. I would hate to get into a situation in which we approve an ordinance and then are trying to modify it again. Staff has worked quite a bit on this and is comfortable with what we have currently.

Comm. Ramsey: I agree with you. The concern I have is we do this now, and I don't know that we will have as large a campus anywhere other than Church of the Resurrection. I don't want to come back and amend this thing in two months.

Mr. Klein: We don't, either. If you heard what some of the concerns were more directly from him, you can judge if you feel that would be an issue or not.

Comm. Williams: Can we hear directly from Mr. Cooper about what his concerns are?

Chair Rohlf: That gets us into the specific plan, and we don't have knowledge of it. I'm concerned that we're getting ahead of ourselves. I would think by now, with the meetings you have had, you would understand what those concerns might be.

Mr. Klein: Yes, we do.

Chair Rohlf: And you feel like this reflects where we need to go not just for their particular plan, but for any other that might come up.

Mr. Klein: Yes, and this is why we were basing it on number of acres. If a campus came in with fewer acres, it would have fewer signs; more acres would allow for more signs.

Comm. Jackson: How many more signs do they get based on acreage?

Mr. Klein: This allows for one sign per 5 acres. Church of the Resurrection has almost 68 acres, which would allow 13 signs.

Comm. Pateidl: If I understand the comments from the gentleman from Church of the Resurrection, with limited time to view what we are proposing and if he is asking to come forward with some recommendations from some professional planners who may have more experience, it is all in the public interest to be able to find the way around. The scope and magnitude of that particular campus is very large. If we have an opportunity for input from professionals that are more attuned to something of the scope of what the church is, we might be hurting ourselves if we don't take advantage of that. I'm in support of postponing the vote on this to take advantage of the education we could pick up.

Comm. Williams: I would like to concur with Mr. Pateidl on that. I think staff has done a good job in addressing the issues overall in a general manner. The Church of the Resurrection is a unique and specific project. Clearly, from the description Mr. Cooper gave, a lot of traffic goes through there, both vehicular and pedestrian. With a potential new building, additional folks will follow right behind that. They have a difficult situation. They have hired professionals to look at their specific unique requirements, and I think it would behoove us to not rush this at this point, given the request, and not lock them into something that may cause problems down the road or force us to come back and have to redo this. Again, I agree with everything staff has on this. If there are a couple more signs they need to have as an example that make it better and easier for people once they get on campus, I would be in favor. I would not be supportive of them adding a bunch of signs along the public right-of-way, but on campus, generally out of view of the street, if they need a few more signs to get people going in the right direction, I think it would behoove us to hear them out. I would be supportive of a 30-day continuance.

Comm. Pateidl: I would strongly encourage the church to look at what has been proposed by staff very hard because I assure you, not only has the planning staff worked hard on it; so, too, has this commission. We appreciate the problems you have had for quite some time. I am delighted to see we have approached it as

far as we have, but I wouldn't expect a blank check to change a lot. We would like to accommodate if there is good cause, but first and foremost, direct yourself to what has been proposed this evening.

Chair Rohlf: Is that all right with staff?

Mr. Klein: Yes, we understand.

Comm. Pateidl: When is the next available opportunity to revisit this issue? There is no other pending institution, public or otherwise, that has an immediate problem that needs to be addressed at this time, is there?

Mr. Klein: Not that I'm aware of, no.

Comm. Pateidl: So, if this goes 30 days or 60 days should not be a conflict for the church, based on what I'm seeing or hearing.

Mr. Klein: The next available meeting would be November 27th.

A motion to continue CASE 143-12 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6.13, PERMANENT SIGN REGULATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to signage for public/semi-public campuses to the November 27th Planning Commission meeting was made by Williams; seconded by Pateidl. Motion approved with a unanimous vote of 5-0. For: Levitan, Pateidl, Jackson, Williams and Ramsey.

CASE 144-12 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION ARTICLE 9, DEFINITIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to definitions of directory signs and post and panel signs. **(PUBLIC HEARING)**

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: Madame Chair and members of the Planning Commission, this is Case 144-12 – Leawood Development Ordinance Amendment to Article 9, pertaining to definitions of directory signs and post and panel signs. As we discussed with the last case, this application intends to modify the definition of directory signs to make it a bit more generic so it can apply to something beyond just businesses and include such things as public and semi-public campuses. The current definition reads, "Any structure summarizing businesses within a complex, identifying business locations to any structure summarizing businesses, uses or destinations within a complex and identifying locations." The second part of this ordinance is to add a sign type that isn't currently addressed within the City of Leawood, which is a post and panel sign. Currently, we have a definition of a pole sign, which we do not allow. In this situation, a post and panel is a little bit different. It will have several legs that support the sign. Typically, they are not quite as big as some of the pole signs. A post and panel sign would be defined as "A sign elevated above the ground by using two or more posts that are visible between the ground and the sign panel." Again, this could be a sign that has two, three or four legs. Staff is recommending approval of this application, and I'd be happy to answer any questions.

Comm. Pateidl: This is for retail and public institutions?

Mr. Klein: Yes, this would open it up to that type.

Comm. Pateidl: And we do have issues pending with that type of sign in retail areas, correct?

Mr. Klein: Yes, we do.

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: Levitan, Pateidl, Jackson, Williams and Ramsey.

Chair Rohlf: This takes us up to additional comments, leading to a motion.

A motion to recommend approval of CASE 144-12 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO ARTICLE 9, DEFINITIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to definitions of directory signs and post and panel signs – was made by Williams; seconded by Jackson. Motion approved with a unanimous vote of 5-0. For: Levitan, Pateidl, Jackson, Williams and Ramsey.

Chair Rohlf: Before we adjourn, I would like to come back to one comment I made during the Ranchmart case. Going back to this last case on the permanent sign regulations, what I was getting at is how many places in our ordinance will we need to add in this new district, such as in this case? Are there other locations where we will need to go in and revise?

Mr. Klein: I think it has been addressed by saying that any place we list SD-NCR, SD-NCR2 can automatically be assumed to be allowed.

Chair Rohlf: Where is that statement?

Ms. Shearer: That is the sentence that Mark read earlier. It is in the language in the ordinance tonight that created the new zoning district.

Chair Rohlf: It just seems a little inconsistent.

MEETING ADJOURNED