

**City of Leawood  
Planning Commission Meeting  
August 9, 2016  
Dinner Session – 5:30 p.m. - No Discussion of Items  
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:** Walden, Levitan, Pateidl, Elkins, Strauss, Ramsey, Coleman, and Block. Absent: Hoyt

**APPROVAL OF THE AGENDA**

Comm. Walden: I would like a clarification on Case 66-16. Is a Special Use Permit included in this?

Ms. Kriks: No.

Chairman Elkins: Thank you. Are there other questions? I would entertain a motion.

**A motion to approve the minutes from the May 24, 2016 Planning Commission meeting was made by Strauss; seconded by Block. Motion carried with a unanimous vote of 7-0. For: Walden, Levitan, Pateidl, Strauss, Ramsey, Coleman and Block.**

**CONTINUED TO THE AUGUST 23, 2016 PLANNING COMMISSION MEETING**

CASE 58-16 – LEAWOOD ESTATES LOT 110 – Request for approval of a Final Plan for a Residential Emergency Generator, located south of 95<sup>th</sup> Street and east of Lee Boulevard.

CASE 65-16 – CORNERSTONE – REVISED PRELIMINARY PLAN WITH HOTEL – Request for approval of a Revised Preliminary Plan for the Cornerstone development and Special Use Permit for a hotel, located south of 135<sup>th</sup> Street and east of Nall Avenue.  
**PUBLIC HEARING**

**CONTINUED TO THE OCTOBER 25, 2016 PLANNING COMMISSION MEETING**

CASE 73-16 – BRITTANY WOODS FOURTH PLAT – Request for approval of a Revised Final Plat, located at the intersection of 153<sup>rd</sup> Street and Rosewood.

**NEW BUSINESS:**

CASE 66-16 – PARK PLACE – REVISED SIGNAGE – Request for approval of a Revised Final Plan and Revised Final Sign Plan, located north of 117<sup>th</sup> Street and east of Nall Avenue.

Chairman Elkins: Before we ask staff to present the case, I will note that at the chair's prerogative, I will entertain comments from the audience tonight under the rules of the commission, which include a 3-minute time limit.

**Staff Presentation:**

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 66-16 – Park Place – Revised Signage – Request for approval of a Revised Final Plan and a Revised Final Plan. The applicant is proposing revisions to the Sign Criteria previously approved for Park Place in 2005 with Case 11-05. The Staff Report lists the sign types in each section, what the Leawood Development Ordinance [LDO] allows and what is being proposed. I would like to highlight some of the proposed signage with the acknowledgement that they have existing signage with mosaics and heading bars. Staff is not questioning those signs; however, we would like to discuss the proposed sign. Section 16-4-6.1 of the LDO states the intent of the Sign Ordinance. "Governing Body finds unregulated proliferation of signs results in visual clutter, which is harmful to neighborhood aesthetics and property values and may cause traffic hazards. These regulations are enacted to protect the property values in the city by enhancing the physical appearance of the city, by authorizing the use of signs that are compatible with surroundings. The intent of the sign regulations is to limit visual clutter, reach a level of aesthetic quality by reducing disharmony in signage, establish a sign identity and promote traffic safety by limiting the size, type, location and materials."

As stated in the Staff Report, staff is recommending denial of this application for the following reasons:

- As we'll talk about later, some of the signage being proposed is not allowed by the current sign ordinance, so it is something that cannot be approved by the Planning Commission or Governing Body.
- Some signage, although a deviation is allowed, exceeds the limitations placed on those deviations. For instance, all signs located on the façade of the building cannot exceed 200 square feet.
- Staff's opinion is that the city has been well served by the ordinance that has been in existence since the end of 2002, and we get a lot of signage in the office, most of which is approved administratively while being tested against its development's sign criteria and the LDO. This allows for signage that is readable while not being overly large or overstated.
- A section of the LDO allows for deviations to the size, color, location, number of signs and illumination; however, there are qualifications. The two that will come into play with this application include wall signage which cannot exceed 200 square feet or 5% and that directory signs must be scaled to pedestrian traffic. In order to grant the deviations, there must be an equal or higher quality of development produced by the sign package. It shall be in keeping with the intent of the Leawood Development Ordinance, shall be clearly set out in the minutes as

well as on exhibits on record, and specific reasons justifying the deviations must be included in the record.

The proposed signage I would like to discuss falls into three categories. One is deviation requirement. This is signage that meets the requirements of the LDO except for one or two of the requirements for that particular type of signage, be it a monument or wall sign. There is a deviation available. There are signs not meeting deviation requirements, such as wall signs that may be larger than 200 square feet, or all the signage on a side of the building is larger than 200 square feet. In that case, although there is a deviation available to the size of the signage, if that signage exceeds 200 square feet for all the signs, it doesn't qualify for the deviation and could not be approved without an amendment to the LDO.

There are signs not permitted within the LDO. The ones that are primarily of interest in this application are multi-tenant signs. They are listed in one of the tables of the LDO in Permitted Sign Types. They are listed as not being allowed in any of the zoning districts. Another has to do with a sign type that is not actually listed at all within the table. There is a section of the LDO that states if it isn't listed in those sections, it also is prohibited.

The applicant was kind enough to provide an additional exhibit with all the signage located on one map. The first type of sign I would like to talk about is the one that has deviations available. One is the village monument signs. The applicant is proposing 6 such signs: 2 along Town Center Drive, 2 along Nall Avenue and two along 117<sup>th</sup> Street. The LDO allows monument signs only in lieu of wall signs. Staff indicated we would be willing to support 2 monument signs: 1 in lieu of a wall sign located on Parking Garage C, which they indicated they would not have a project identity sign on, and then also on the parking garage for the live/work units located along 117<sup>th</sup> Street. The applicant is still requesting 6 monument signs, and they do not want to give up any wall signs. The monument signs actually meet the majority of the regulations in the city. They are 5 feet in height, 10 feet in length and 50 square feet. They meet the width of 18-24 inches. They have a masonry base. The signs, however, are internally illuminated, as is most of the proposed signage tonight.

Comm. Strauss: Is the village monument sign the same thing as the New Property Monument on the map?

Mr. Klein: Yes, they are actually called a couple different things, but it is the same (*Referring to the map*). Along Town Center Drive, they are located at the primary entrances into the development. Along Nall Avenue, they are located adjacent to the parking garages. The parking garage located centrally is Parking Garage A. Parking Garage B comes along 117<sup>th</sup> Street, and Parking Garage C is in the corner along Nall Avenue.

The deviation they need is for illumination because monument signs are only allowed to be indirectly illuminate or non-illuminated. Staff is not supportive of that. We have seen monument signs with internally illuminated letters, and it changes the look of the signs quite a bit.

I would also like to talk about the garage entry signs, which are also located above the entrances to each of the parking garages. The area has existing signage, and the

proposal includes replacing those signs with the new design. The deviation being requested for these is for number of signs. Currently, they are proposing identity signs for Park Place on Parking Garages A and B. There would be a stucco panel to support the sign, and that is part of the reason this is also a Final Plan as opposed to just being a Final Sign Plan. They also have the entry signs we just talked about, which are located directly over the entrance. They are also proposing tenant signs. There is a limitation to 2 wall signs on a façade, and this proposal exceeds that number, requiring a deviation. The development identity signs on the parking garages exceed the amount of deviation that is allowed as far as overall size. The tenant entry signs located above the parking garage entries are multi-tenant signs, which are not allowed by the LDO.

Chairman Elkins: Did you also mention that they need a deviation to the size of the sign as well?

Mr. Klein: In and of themselves, these are not larger than 130 square feet. It really depends on the measurements of all the other signs that are included in the formula. They would need a deviation to size if the measurements didn't work. Currently, the Park Place identity signs at the top of Parking Garages A and B are over 252 square feet. They exceed it by themselves. The tenant entry signs are about 330 square feet. I believe these are somewhere in the area of 130 square feet. All together, they exceed what is allowed.

In addition to the wall signs on the garages, the applicant is proposing to keep the blade signs located at the entrances to the parking garages. One is an oval with a "P" and a green background; the other says, "Park Place."

Another sign type being proposed is village via directory signs located primarily at the vias [passage of access through the buildings, usually midway through the building] of the various buildings. Another village directory sign is located at the northeast corner near the hotel. These signs meet the requirements of the LDO, with the exception of the illumination. The directory will have a listing of the various businesses in the development with a map on the backside. The deviation requested for these signs is for illumination.

The applicant is also proposing a parking totem, which is a directional sign. A directional sign is defined as being an on premise sign providing directional information for the safe and efficient flow of pedestrian or vehicle traffic and shall include signs marking entrances, exits, parking, loading areas and other operational features but will not include logos, names or commercial information. The difference between a directional sign and a directory sign is the directory sign has a listing of the businesses and their location. A directional sign is not allowed to have any of the business names on it; it is more to direct traffic. In this case, the applicant wants the sign to direct people to the entrance of Parking Garage A. An entrance is located on the north side, and it can be easy to miss. The applicant is proposing two deviations. One is the illumination; the other has to do with size. Directional signage is limited to 6 square feet.

Comm. Walden: What is the issue with the internal illumination?

Mr. Klein: In this case, the LDO only allows directional signs to be non-illuminated. Once these signs are illuminated, they become more noticeable and contribute to the

clutter. Most of the time, the wall signs of the individual business are illuminated, and this contributes as well.

Mr. Klein: The next sign I would like to address is the Garage Skyline Identity Signs. These are located on Parking Garages A and B, on top of the garages to identify the development along the perimeter, both along Nall Avenue and 117<sup>th</sup> Street. The applicant is requesting a deviation; however, it would require a change to the LDO because the sign in and of itself is larger than 200 square feet. In addition, all the signage on the façade is greater than 200 square feet. Staff is willing to entertain looking at changing the LDO to allow signage similar to this so that Park Place could identify itself to the perimeter; however, it could not be approved with this application, and Governing Body would not have the ability to approve it at this point, either. It would have a stucco background. Currently, they are proposing EIFS, but it is only allowed for accents. That would need to be changed to cementitious stucco as a backdrop for the sign.

The next category I would like to discuss is signs that are not allowed by the LDO and cannot be approved by this application without an amendment to the LDO. In this case, Section 16-4-6.14 of the LDO lists multi-tenant signs that are not allowed in any district. There is evidence of intent for this sign type to not be allowed. In this case, multi-tenant signs are located within the traffic circle at the juncture of 116<sup>th</sup> and Ash. There are trees located in the traffic circle. The area has significant pedestrian activity. Part of the concern is people trying to read signage while driving; it could result in distracted driving.

Garage tenant signs are another multi-tenant sign. They are located above the entrances to the 3 parking garages. The sign itself is about 30 feet wide and 11 feet tall and is located directly over the garage entry signs previously discussed.

Comm. Strauss: Was the last one allowed in the LDO?

Mr. Klein: It is not allowed in the LDO. In addition, the applicant has existing signage to remain, and staff is supportive of that. They are also proposing pageantry banners on the parking garages. They are located adjacent to the entrance. They are a little over 9 feet in width and 22 feet in height. They consist of strips of canvas about 1 foot wide. The canvas pattern and color vary. It will have the Park Place logo repeated on it as a pattern. Staff is supportive of this and considers it more of an architectural feature.

Again, staff is recommending denial of this application for the reasons stated, and I would be happy to answer any questions.

Comm. Pateidl: Mark, to begin with, I would like to diverge a bit from your presentation as to specific signs and deal with the comment that was made in the material that we received that the sign ordinances that we are living with today were formulated in 2002. In 2002, the number of Mixed-Use developments in the City of Leawood probably wouldn't blow out of a shotgun. The City of Leawood is very dedicated to Mixed-Use, and we are working hard on the implementation of the 135<sup>th</sup> Street Corridor Plan. Do we have any thoughts or recommendation regarding signage in the Mixed-Use area?

Mr. Klein: This development ordinance was approved in 2002, and it was approved with the Park Place development in mind. When it was being drafted, it did consider Mixed-Use. We knew Park Place was coming, and we also had Mission Farms, which was the first Mixed-Use development the city had an application for.

Comm. Pateidl: Going to more the specifics of the application, 29 signs are being proposed in this.

Mr. Klein: Yes, and there is one more sign I should have addressed. It is a pylon column sign. It's located near the lanterns at the northeast corner of 117<sup>th</sup> Street and Nall Avenue. Another is in Town Center, and another is approved on the southeast corner of Nall Avenue and Town Center Drive.

Comm. Pateidl: Of the new signs being proposed, are there any that the Planning Commission can consider that do not require a deviation?

Mr. Klein: I believe they all require a deviation, at least to illumination.

Comm. Pateidl: They may all require a deviation, but some require a change in the ordinance; some don't qualify for deviation; some are prohibited. Is there any place inside the LDO that the Planning Commission have the authority or ability to look at those signs and make a recommendation one way or the other?

Mr. Klein: You could not recommend approval. You could put on record your thoughts on the signs. Even the Governing Body, at this point, would not have the ability to approve the signs because they are prohibited by the ordinance and would require an amendment. The Governing Body would have to direct that.

Comm. Pateidl: There is a substantial number that we cannot do anything about.

Mr. Klein: That is correct. The via directory signs meet most of the criteria, but they are illuminated, so they require a deviation.

Comm. Pateidl: What we're looking at this evening is making decisions regarding deviations. You used a word in the very early part of your presentation that the planning department is concerned with the precedent that this develops. Can you enlighten us a little bit as to the relevance and importance and impact of what precedent will mean with respect to future applications, particularly keeping in mind the 135<sup>th</sup> Street Corridor?

Mr. Klein: Say the development ordinance was changed to allow multi-tenant signs. It would probably set a precedent for many signs located there. Once they are allowed, the signage almost has to get larger because it will have multiple tenants included. The majority of developments will then most likely want to do the multi-tenant signs, especially as their neighbors have them and they are in competition with them. Internal illumination is another deviation that, once allowed, would spur many others to request something similar.

Comm. Pateidl: Does the precedent push the Planning Commission and Governing Body toward those approvals?

Mr. Klein: I would say based on what we covered originally with the intent stated in the LDO regarding sign regulations and the fact that they require that a higher quality be provided as a result of the sign package and that there is a clear record of the granting of deviations, staff's recommendation is in keeping with the LDO as far as the intent of the sign ordinance as it is stated.

If I may, the pylon signs are about 25 feet in height and are triangular. They also are illuminated. They are proposing to remove the one on Park Place property; however, they have not indicated they would remove the one on the Town Center Plaza side, which would then leave two different styles. Additionally, the one at Town Center Plaza also has a Park Place logo. They are also proposing to add another one at the southeast corner of Nall and Town Center Drive. This is a sign type not listed in the LDO and therefore is prohibited.

Comm. Strauss: Mark, I was trying to keep track of all the signs, and I was left with one: Modified Building ID Sign.

Mr. Klein: This is actually an existing sign located on the Aubrey Building. The applicant has signs that indicate the name of each building. They are proposing to have a contrasting color so the sign is more readable. Staff is supportive of that.

Comm. Strauss: I count that there are 10 different new sign types. If I was keeping track right, 4 are not allowed in the LDO and cannot have action taken.

Mr. Klein: Correct.

Comm. Strauss: Those 4 could be put aside: New Circle Directional, Property Column, New Garage Skyline ID and New Garage Tenant Sign.

Mr. Klein: Correct.

Comm. Strauss: I know that the LDO puts limits on the number of each type of sign. Is there anything that talks about the number of signs for the entire development?

Mr. Klein: There are limitations on the categories of signs. For instance, there is a limit of 2 directional signs. As far as deviations allowed, they refer to size, type, location and material.

Comm. Strauss: It is always limitations on the particular style of sign, and there is nothing that talks about the total number of signs.

Mr. Klein: Correct.

Comm. Ramsey: Mark, are they proposing to remove any signs as they put new ones up?

Mr. Klein: The only ones they are proposing to remove are the garage entry signs. They would replace these signs with the new design.

Comm. Block: You said there was back and forth on the monument signs. Does staff have a recommendation regarding their location?

Mr. Klein: We would assume there would be one along each of the major frontages.

Comm. Block: Was there back and forth on other items in the application? You said that internally illuminated signs are not allowed. Was there a response from the applicant, or did they just still want to put it forward? Was there conversation on each component of it?

Mr. Klein: Yes, we had a meeting with the applicant, and there was a letter after the application was sent back that reiterated what was said at the meeting. We indicated that some of them are meeting the size, such as the monument signs. If the internal illumination and number could be changed, it would be supported. The via directory signs are a similar situation. They wanted to go forward with illumination. They are aware of staff's concern.

Chairman Elkins: Additional questions for Mr. Klein? This goes back to the illumination deviation. Can you speak a little bit to your understanding of the policy considerations around the restrictions on these internally illuminated signs, especially in the context of the situation like Park Place where there are not close residential units that might be affected?

Mr. Klein: The development ordinance limits illumination based on sign type. For instance, wall signs can be illuminated. It actually speaks more directly to types of signs. Monument signs are not allowed to be internally illuminated; however, they can be indirectly illuminated or externally illuminated. Part of the reason for that is to reduce the clutter. This allows the tenant signs to be illuminated, which would be desirable. With regard to the Park Place sign on the parking garages, they are proposed to be internally illuminated, and that is allowed.

Mr. Coleman: Mark is talking about the signs with push-through lighting that shows up the letters. The objection to those stems from history. The vacuum-formed plastic signage, which was very popular years ago, allows the entire sign to be illuminated internally. At some point in the past, Leawood decided it didn't want that type of sign in the city. That was why we have the prohibition. There may be another way for them to get the same effect without an internally illuminated cabinet sign. I'd have to talk to them about it, but that is basically where light is transmitted in a material rather than having a box. The sophistication of signs has come a long way.

The other thing I wanted to mention for the record is that I was showing a picture of the existing Park Place architectural towers at the entrance on Nall.

Chairman Elkins: That is the tower that is proposed to be replaced by the pylon sign.

Mr. Coleman: Correct, and you didn't have that in your packet.

Chairman Elkins: Thank you. Other questions for Mr. Klein? Thank you.

**Applicant Presentation:**

John Petersen, Polsinelli Law Firm, 6201 College Blvd., Suite 200, Overland Park, KS, appeared before the Planning Commission on behalf of KVSIII Park Place Village, LLC and made the following comments:

Chairman Elkins: Before you begin, I want to express my appreciation to you and your client for bringing a complete package to use tonight. It would be easy to have followed other developers who brought bits and pieces to us over time, and it becomes difficult to consider the proposal in its entirety.

Mr. Petersen: Thank you. Maybe I played a small role in trying to organize things in a way to most clearly facilitate a thorough discussion. This one was a particular challenge for Brett Merz, Senior Vice President for KBS. He covers this part of the United States for this very experienced and deep company that is involved in retail development across the country. I hope this is considered a plus that the new owner brings the experience and desire to not only maintain the excellence of Park Place but also to find new and better ways to keep it vibrant. I appreciate you allowing the parties of interest an opportunity to speak this evening. As part of our presentation, we have representation of the ownership group here. We also have brought a representative group of our tenants. Though they may be considered parties of public input, we consider them as part of this application. The reason we went down this procedurally difficult road is that we have been in constant contact with the tenants because they are a part of Park Place. Part of that group is James Lynch with 801 Restaurant, Jonny Girson with the Learning Tree, Melanie Coleman with TallulahBelle's and Mike Hans with AMC.

At the beginning, I would say that we all feel this is a great project for the City of Leawood and Johnson County. It remains one of the few developments of its type. It does all the things we hope it would. It creates a sense of place and vibrancy. It tries to bring the walkability back to the area. It is an experience. As we can see, it looks great. What tonight is about is to make sure it works great. This is an application that is out of the ordinary. We acknowledge that we have advanced a plan that you could approve portions of it through deviation. We have a little disagreement with staff about what the deviation means, but we acknowledge that the deviation is required. Some, the code does not allow. In essence, procedurally, your hands are tied. What is an applicant left with? The alternative is to bring the application and send the deviation to the Board of Zoning Appeals. The BZA then considers the deviations out of context. It is difficult in this case to get a deviation. I feel that the BZA can't quite understand where Planning Commission is coming from. The second option for those not allowed is that we bring forth a code modification. Ultimately, that may get there, but it is done outside the context of an application. I would think it would be helpful to see it in the context of a real-live project.

We agreed that we would bring forth the package, talk about the business rationale, the impact on the tenants, hear your commentary, and proceed from there. Then, Governing Body could make recommendations on potential amendments from there. It goes to precedent. I get that a lot in my business. I always say that if the precedent is your decision that we can do something and it is in the context and circumstances of a particular situation, it is precedent. To say a multi-tenant sign may work in one place so we have to give it to anybody is not even a principle of common sense much less one of law. We understand you have to be uniform, but that is what code amendments do.

Chairman Elkins: Let me interrupt you there. What exactly are you and your client hoping for tonight from us? Are you looking for us to look at the plan in its totality and recommend it up or down? Are you looking for us to look at each sign by itself and recommend the ones we have jurisdiction on for approval and walk away from the prohibited ones, or we come to an agreement that the deviations are outside the scope of deviations?

Mr. Petersen: You know I would be remiss if I didn't say I was looking for you to say it's the greatest thing since sliced bread and approve it. But in terms of your time, I apologize for this. Of course, if you felt every component made sense, even if you knew there were no code provisions to allow the Governing Body to consider it, I would suggest that you recommend to the Governing Body that they find a way to accomplish it, even if it includes code modifications and sending it back to you. We are basically utilizing your experience. We are looking for your opinion. It really goes to the issue of the fundamental disagreement with staff that a code that was passed in 2002 was anticipating Park Place and should be kept the way it is. We couldn't disagree more. Not only has retail itself changed light years in 14 years, but we've seen so many other changes in shopping centers in general. We disagree that we should just stick with the code. We're looking to find something to work for everybody. Part of the response from the Planning Commission could be that we are close but we need to change a few things. Now, I'm going to let Brett give the business aspect of this. Then we'll ask the members of our team that are part of our project come up. We had many that wanted to appear, but in respect of your time, we asked for only 4 to give their perspective. Staff did a good job of giving an overview of the project, but I'll come back up and give comments on specific sign types again and then open it up for questions.

Brett Merz, KBSIII, 800 Newport Center Drive, Suite 700, Newport Beach, CA, appeared before the Planning Commission and made the following comments:

Mr. Merz: There has been a lot of talk about how times have changed, and I think the code dates back to 2002. I don't think we can emphasize that enough. Times have absolutely changed. I think a lot of it has changed on behalf of the expectations, requests and demands of the consumers and customer base that we're all trying to attract. Architects design things differently. Developers have different visions now than they did 5, 10, 15, 20 years ago. Office tenants are changing the way they make decisions on where they work, how they work, why they work, how they do things. Retailers certainly have to change their strategy to keep up with the times. Obviously, there have been huge

changes with brick and mortar. There have been huge changes because of the Internet and social media. Look at the likes of Uber and the impact it has had on retail and a variety of services in the last year. I know that's more transportation related, but if you look again, retail is constantly, constantly changing, and it is becoming ever more difficult for retailers to thrive. Nowadays, customers do what they do because they want a moving, dynamic, memorable experience. If they don't have that, there are too many other options for them, and they will choose those other options. Think of yourselves when you're trying to find a product or figure out what you're going to do on a Friday night. What customers are looking for doesn't start when they get to the store; it starts on their approach to the shopping center. You can look at projects all across the country. The experience starts with the approach. For us, our approach to Park Place is Nall and 117<sup>th</sup>. That is critical to understand in terms of some of the signage we are requesting. Park Place is a great asset. We love it. We are very happy with it. We think it can be improved. The challenges with Park Place are challenges that do not express the fact that times have changed and continue to change, progress and advance. There is significant lack of exposure, lack of identification, brand awareness, line of sight, overall signage. Right now, the signage doesn't promote anything. I realize we are asking for a lot of signage. I think the Staff Report said there are 21 existing signs. With all due respect, if you were to look at the pictures, you wouldn't know there are any signs there. You can't see any of them. While there are 21, I don't think they are very impactful. Again, they can't be seen for a variety of reasons, including the design of Park Place and trees to name a few. There are a few fundamental issues we are trying to address. If you look at the signs we are proposing, there is a different motivation and different use for each of them. It is not that we want to make Park Place into Times Square. That is not the case at all. We very much respect the character of Leawood, and we want to continue that, but I think we can continue it and develop a good identity and signage program in a tasteful way that promotes the community of Leawood and how Leawood likes to do things. We're not trying to come in with obnoxious neon signs.

I also don't want you to think that we're only looking at signage. We've spent considerable time, money and effort on a variety of different things. Going back to the way times are changing, we are doing everything we can in terms of using social media, ads, media, and product placement. Right now, customers don't know where we are. If they know where we are and they do find us, they don't know where to park. Once they can figure out parking, they don't know what stores are there. Once they figure out what stores are there, they don't know how to find that store. Regardless of how much marketing, branding and idea awareness we build throughout Leawood, it doesn't matter if they become aggravated when they get there and don't know what to do. It's all about creating a unique experience for the customer. You're not going to get that unique experience you want by promoting them to come, only to have them frustrated because they don't know what to do when they get there. I have an anecdotal story that I hope proves a point. Today, I was at Park Place. I had to go to a meeting at the Plaza, so I called over. When I pulled up my Uber app, a car was 2 minutes away. I thought it was great because it was hectic. I clicked on the button, and they said they would be there in 2 minutes. I watched the car on my screen for 15 minutes. They didn't know where Park Place was. Bear in mind, this is a guy that does nothing but drive the community and take

people to and from places all day long. I don't think it was a technology glitch. Uber is a pretty sophisticated company. I found the coincidental timing a little fitting.

As John will show, we hope we have developed a new, modernized, forward-thinking Signage Plan. We tried to take into consideration a very tasteful and classy way of doing it to continue the pattern that Leawood has developed. The types of signs we are suggesting are not new concepts. Mixed-Use projects are relatively new, going back to the '90s. What we're proposing is not new, and I think it's been proved successful over and over again in other very high-end cities. I can name projects in Beverly Hills, San Jose, Newport Beach, Scottsdale, Dallas, St. Louis, Clayton, Chicago, Naperville, New Orleans and Boston. They all have very high-end demographics that expect a lot from their city. All of this has been implemented in Mixed-Use projects in those areas. We don't believe that we are doing anything that is out of the ordinary or that hurts; rather, we firmly believe that it will do nothing but promote Park Place and hopefully the community as well.

Certainly, this impacts the retail tenants within Park Place. There is also a large portion of this that goes back to how times are changing. The office tenants are certainly critical as well. The way offices select their facilities is largely based on the ability to recruit and retain talent. Much of that is driven by where they choose their facility and what that facility offers in terms of amenities. The strength of the retail is critical for the community and also the office component of Park Place.

At the end of the day, we have one primary objective. We're trying to create and reposition Park Place as a vibrant, successful, safe and memorable experience. Really, that is for everybody. It is for the office tenants, the office employees, retail tenants, the customers and the community at large. It's the crown jewel. We think it can be promoted again in a very tasteful, effective way. It sure beats essentially hiding it like we're doing right now, given the non-existent exposure that Park Place has. Thank you.

Mr. Petersen: I'd like to introduce James Lynch now with the 801 group.

James Lynch, 4020 South Cherry Street, Englewood, Colorado, appeared before the Planning Commission and made the following comments:

Mr. Lynch: Not to overcomplicate things, I'd like to really just echo the discouragement that we face as merchants within Park Place, given its potential with some modernized, more contemporary approach to the signage. As we see it, it's really not a compelling invitation to the community. It is fortified from the access points to the development. We're asking for a much more dynamic, compelling invitation through some reasonable signage efforts onto the community. We have 3 operations in there: 801 Chophouse, which we believe is a coveted venue, high-end dining establishment, 801 Fish, which complements 801 Chop, and then we have Pig & Finch, which is a gastropub concept that I think all represent the profile which Park Place originally intended to partner with in terms of the finishings. We're certainly not penny-wise and pound-foolish. I think we have established credibility amongst the Leawood customer base. The discouragement is that people still don't know we are there. It's a fortified environment. You can drive right by it. If you do take the time to find your way into the development, once you arrive, you don't know what exists within there. Then, if someone told you 801 Chophouse was that

way or 801 Fish the other way, you take a right and go down the throughway. The storefront signage in which the merchants have invested are virtually camouflaged by the trees. Then, you find the place, and you don't know where to park. It's really just that simple. There is no compelling invitation to the community when they drive by. If they come in, they don't know what is where. If they figure out a place to go, they don't know where to park. You have some very discouraged merchants who are seeing this as just seeing this as such a great opportunity if we could just shine a light on this place and bring it to a visual state that, when you arrive, "Oh, okay, this is great. We can go here and here and here." You can get your arms around it instantaneously and get that good connection right when you enter the environment. Today, it's the entire opposite. We have a lot of marbles on the table. We have a lot of investment not only in Leawood but also Kansas. We have already placed our bets and are hoping for some latitude on your part to bring it to a better place.

Jonny Girson, Learning Tree, 4004 W. 83<sup>rd</sup> Street, Prairie Village, KS, appeared before the Planning Commission and made the following comments:

Mr. Girson: Thanks for listening to us. I was one of the first tenants to open in Town Center 20 years ago. We were recruited 8-9 years ago to open in Park Place, the jewel of Leawood. Unfortunately, it's become the hidden jewel of Leawood. No one can find us. There is no signage. People drive up and down Nall and have no idea what exists within the walls of Park Place. All they see is garages. We've raised over \$1 million in sales tax over the years in Leawood. In the last few years, the amount we've raised has gone down and down and down. We live in a very different environment today. Retail is not what it used to be. A lot of the retail money has gone to the Internet. It's much more convenient for people to shop from home than to try to find a store that is as hard to find as ours. We hear the story all the time, "We came to Park Place and looked for you. There is no signage. We couldn't find you, so we left." We have people that shop at our Prairie Village store that live in Leawood because they've driven past Park Place many, many times. We're asking to have some kind of reasonable signage. A mistake was made 10-12 years ago when the LDO was drawn up for whatever the signage was. It's no longer right. Times have changed, and maybe some changed need to made to the ordinance. Thanks for listening to use.

Melanie Coleman, TallulaBelle's, 4971 Ward Parkway, Kansas City, MO, appeared before the Planning Commission and made the following comments:

Ms. Coleman: I had a whole series of thoughts I wanted to share scripted in my mind, and when I listened to the conversation, I'm going to throw all those aside. The key thing I want to mention is Park Place is filled with small locally owned and operated businesses. I opened mind 5 years ago. Chased a dream and opened a small business. Many of the people in this room are just like that. If you took a poll, almost every tenant is represented here tonight. That should tell you something. Why would we all spend our night here? It's because this is our passion; this is our business. This means a lot to us, and as 801 Chop said, we all made a personal investment in Park Place. We believe in it, and we are proud to be there. Unfortunately, it is a huge struggle for all of us to not only

survive but to try to thrive. We are all in business because we want to survive and thrive. I would say everybody here is surviving. That's what's happening with the first floor tenants at this point in time. It's for all the reasons that you've heard presented. People can't find us. They don't know where we are. They don't know where to park. They don't know what the opportunities are. They don't understand the offering that Park Place has. Then I would also say that if I operated my business under a thought process that existed in 2002, I wouldn't have made it 12 months. Thank you.

Mike Hans, AMC, 11500 Ash Street, Leawood, KS, appeared before the Planning Commission and made the following comments:

Mr. Hans: I'm here to share our perspective with you not with regard to the details of the proposed signage package but from a couple different perspectives. One is that as the largest office tenant in Park Place, we recently signed a lease to expand our premises, and we occupy about 160,000 square feet of office space there. In addition, we occupy about 380 theaters in Mixed-Use projects throughout the country, so I think we have a pretty good perspective on what it takes to make those projects successful. Beginning with our role as office tenant, I can tell you that one of the key factors that went into our decision to locate to Park Place was the fact that it has so many amenities: retailers, restaurants, a sense of place, an ability to walk the project without having 400, 500, 600 people getting in their car every day at noon to go eat lunch. The amenities are something we think are vitally important and something that should continue to be nurtured. Those retailers that provide the amenities and the sense of place are crucial to the continued success of the project. As a retailer and listening to what the other retailers have said, we totally agree that signage is important to the success of retail. We agree that retail has changed an awful lot since 2002. We know a lot more about what makes projects successful. I think one of the common things we do see is a great signage package. In a more typical retail environment, there are pylon signs on the exterior. There are directories and wayfinding signs on the interior. There are prominent signs on the buildings. I think that certainly this is not a mall. It's not a power center. I don't think anybody is suggesting that it should be made to look like one, but I do think that those things that can be done within the context of the environment that exists in staying true to the values that everyone has to improve the sign package would certainly be a benefit to those that occupy space in the project as well as the public that shops there. Thank you.

Chairman Elkins: Mr. Hans, I understand the concerns that you and your employees have about the amenities to Park Place. Can you speak a little more to the direct impact that signage or lack thereof has on you as an office tenant?

Mr. Hans: I'd say the direct impact is probably nominal, to be honest with you. But the ability for those retailers to thrive and to continue to be there over the long term is what does have an impact on us. I think the sign package probably speaks directly to their ability to do exactly that.

Chairman Elkins: Thank you. Mr. Petersen, as you go into the specific signs, could you relate how some of these signs address this issue of attracting consumers to the retail space and directing them, addressing the three concerns you presented?

Mr. Petersen: I'd be happy to do that. Thank you for taking the time to appreciate the context within which this sign package was developed, not only by the ownership but also those that make it a successful overall development. I'm going to start externally with the number of signs we are proposing to address external messaging for those approaching Park Place, starting with the so-called monument signs. As you recall from staff commentary, they could support 2 monument signs. I think we all know what they typically look like. There is one quite a bit larger than what we are proposing at Town Center Plaza, a single-purpose retail operation. We are proposing monument signs (*shows example*) on Nall Avenue and 117<sup>th</sup> Street. It is sized appropriately per the current code. The issues are the number we are asking for and the internal illumination. I will talk about internal illumination on this particular sign even though it is a recommendation for denial on a number of the signs.

Why do we want 6 instead of 2? Most shopping centers, even in Leawood, who has a relatively restrictive sign package overall, allows a major retail center to have all the signage that people can see from the street, but they are still allowed to have, in many instances, 2 monument signs at 2 different entrances points, particularly when they are on 2 thoroughfares. The difference here is we have people that access Park Place as potential retail customers, potential office users, potential residents, and potential visitors for a night. Each entrance is designed to access the site for different uses. That is part and parcel of this whole sign package. Office users don't want to drive through the retail; they want to go where offices are. The residential users will go home and shop as a pedestrian. We need more than 2 points of access because we're trying to invite access to all of our portals of ingress and egress and differentiate as to why people are visiting the site.

Regarding illumination, internal is bad; external is quality. Let's step back. Richard nailed it. Internal is not all bad because Town Center has channel-lit signs. There is a situation where internal is not bad. External can be good or bad. Sometimes you have a sign and some spotlights shooting up in front which tend to get hit by lawnmowers pretty often and snowplows that are broken. That could look nice. We have some gooseneck lights that are external and can look good. The internal lighting the code strictly prohibited is the box Richard referenced. It looks cheesy. That's not what we're talking about here. This is a new concept. There is a light behind the base. In most cases, it is a lantern that emits light, and the sign can be seen because of the glow of the lamp. If I moved the lamp and moved it 2 feet in front of the sign, it would be externally illuminated. It is a new, cool design that nobody thought of when the code was written. I hope this could be considered an exception. I argued that the lantern concept is a new way to emit outside light, which is what is utilized to light the sign.

Chairman Elkins: Do you have examples of this lantern lighting?

Mr. Petersen: I don't have it with me. It's probably something we need to bring so it can be studied and considered for a code modification.

Chairman Elkins: It's a little difficult to see it in our minds. As a procedural matter, since we've talked about all these categories of signs, would you want to take questions on a category basis, or would you prefer to go through the whole plan and take questions after? Mr. Pateidl?

Mr. Petersen: We can go either way. It may be faster if I go through it all at one time.

Comm. Pateidl: If you can go faster, have at it.

Chairman Elkins: I think we're voting for faster. I will let you go through your presentation.

Mr. Petersen: Let's talk about the garage wall signs. I think this had a sharp focus. We're talking about our major perimeter garages, which are a wonderful convenience but can be a detriment to visibility and directional elements to let people know what part of Park Place they want to go and how to get there. Starting with Garage A, it is the non-AMC garage along Nall Avenue. That is one big building on Nall Avenue. The architecture is great because it doesn't look like a parking garage, but then people ask what it is. This just restates what we want to do with brand identity: "Park Place" at the top. This is basically an architectural element that says this is a district. We then go to the garage entrance, and today, the signage is very pedestrian friendly. We'd like to upscale the sign to show that you drive a car in to park. Then, we would like to tell them, "If you come in this garage, there is retail for you to access; here are the tenants." I know that a multi-tenant sign is not allowed. This is critically important to the success of a Mixed-Use development with buildings on all sides and it is unclear what that building is. It is important so people know that 801 Chophouse is in here. This is Park Place. Secondly, this is the garage to park in. It goes with all the requirements of the Leawood sign requirements: uncluttered, stylistic, not attention-getting, safe and convenient for the public. Listing 6-9 tenants in compilation that don't have the ability to have their signs where it can be seen along a public street is what Mixed-Use is all about. There is the issue of too many signs on the building, and then we can't have a combination of over 200 square feet of signage on a building. We feel, for a number of reasons, that this is a huge façade. It is 17,214 square feet of building façade. The code says it can be a 200 square foot sign or 5% of the façade, whichever is more. The first time I read this, I was sure it was a mistake because most cities go the other way. Basically, X% of the façade can be a sign. There should be a provision to think about the size of the wall. To put it in perspective, our total signs on this façade are 471 square feet. 5% of the façade is 860 square feet. The code is a bit out of date.

Mr. Chairman, staff indicated they don't think the pageantry is a sign. We would like to consider for a little color. It is not being proposed that we have soccer players like other signage in the city. We think it's in good taste and will work well. The car park would be incorporated into the multi-tenant sign, and the blade sign would be moved.

It is the same situation with Garage B, which faces 117<sup>th</sup> Street. This one is not quite as big, but we're asking for the same utilization. Garage C is near AMC, and we are asking for the same utilization. It is the same concept: a message to the outside world that it is here and that this is the right place to enter the project for parking.

The last one on the outside is the column signs that staff calls pylons. This is an architectural element in our opinion. It was placed there by Park Place on Park Place's and Town Center's property. It is an architectural element that is a sign. It says, "City of Leawood" with a Park Place logo on it. We're suggesting that the ones on the Park Place side be replaced to meld more into the architecture of Park Place. We don't feel that is in keeping with our architecture and the messaging brand that we have. We have one on the north side of 117<sup>th</sup> and then at the corner of Nall and Town Center Drive.

Chairman Elkins: You would propose that the sign would be internally lit as well, correct?

Mr. Petersen: Yes, it is lantern-lit. That covers the external signage. Let's go to the internal signage. Once we are blessed with having someone enter, what can we do to make the experience better? Our first is the multi-tenant signage on what I call the roundabout in the middle of the retail street network. Based on commentary we have heard from our tenants, this may be the biggest moment of confusion to visitors because they're in here; they see retail, but they don't know where to go. We submit that the safety issue with people reading signs as they're driving is that when they drive in, they're not just trying to read a sign in front of them to go right, straight or left; they're craning their necks up and down the street, trying to see where to go. You can't see a sign in front of a retail network because of the trees. That is the exact problem that visitors have when they hit that roundabout. We propose to put a series of well-designed signs people can quickly look at and go a direction. We can do it in a way that has worked very well, very safely, in great taste in other high-end shopping centers in the area. After people get to the parking garage and are walking, we want them to walk up to a rightly-sized directory and get an idea of what tenants are where. We are proposing 6 of those placed strategically throughout the project. They are needed.

The parking totem will replace the sign that is not serving a function. We would like to make it aesthetically pleasing and pedestrian scale but a bit larger so it can be viewed from a vehicle.

The last one is 801 Chophouse. There is a rule that you can't have a sign on the side of the building that your retail establishment is not in the building. In a Mixed-Use building, they're all connected. We're proposing that, along that side along the west side of The Aloft, 801 Chophouse would be allowed to place a sign on that building. We think it makes a lot of sense, given the location of the restaurant on that side of the project.

I'm going to show a few things to show different utilization in the city to show you what the competitive environment is and the impact in terms of legitimate fears and concerns that staff is trying to avoid, which is the proliferation of light, and draw the distinction of the closed Mixed-Use project compared to some of the other fine projects. AMC Theater gets a big sign on Nall that can be seen from the street. Nobody thinks it's bad, but they're seen from both streets. Dick's has the same type of application. As you face the façade of Park Place from the Town Center parking lot looking north and you can kind of pick out something on the corner, you wonder what it all is. You turn around and look to the south, and there is internally lit signage, different colors of signs, all sorts of beckoning to the public to shop there. It's a different application. It's surface parking in front of the store. It's a great shopping center, too. They work well together. They

create a synergy. But they get to say, “We’re here. Come park right here.” Our folks are behind a wall. Take our circumstances into consideration and put us on a level playing field.

I’m going to show examples from Overland Park. I think all would agree that Hawthorne is a well-designed, nice, final component of the 119<sup>th</sup> and Roe intersection. It probably got done because of all the great things done in Leawood, to be honest with you. What is the first thing that happens when you walk in? Even in a shopping center that has all the tenant signage visible from 119<sup>th</sup> or Roe, the first thing it does for you is tell you what way to go for different businesses.

I leave you with that. It is a great architectural creation with a lot of interesting elements to it in the City of Leawood. It speaks to the world, but it doesn’t tell you why you want to come there necessarily, what it’s about. We’re asking for your help to work with us on a design package. It may not be exactly as we proposed. We would like it to do just that in a high quality, safe and pleasing way. We’d be happy to answer any questions.

Chairman Elkins: At this point, I’m going to call for a five-minute break.

*5-minute break*

Chairman Elkins: To bring order to this consideration tonight, we’ll take the signs that are categories that are roughly the same as what Mr. Petersen went through. Let’s start with the monument signs. Questions from the commissioners?

Comm. Block: Are we going to set the LDO aside for a certain portion of this discussion and just discuss the signs as they stand?

Chairman Elkins: I think that’s right. I accept at face value Mr. Petersen’s suggestion that we consider the merits of the sign package and the individual elements of the sign package, notwithstanding what the LDO requires, to give some guidance to staff to give Governing Body some sense of what we, as a Planning Commission, feel. It seems that it is the anticipation of the applicant that this is, at least in part, an iterative process in that there may well be some proposed modifications to the LDO at some point in time, but this may well give guidance to both staff and Governing Body about what those modifications might look like.

Comm. Strauss: Can we get into general questions first?

Chairman Elkins: Sure, we’ll take general questions first.

Comm. Strauss: I have some questions for Mr. Merz. Can you tell me who the customers are that are attracted to Park Place? Where do they live?

Mr. Merz: The customers come from both Leawood and the surrounding community. We spent a lot of time with a firm called Alexander Babbage, who did a very thorough market research and brand audit study for us. We can certainly have our marketing team

provide you more details on that. The main group of customers is probably 24-25 years old up through 55. It's both male and female. It's not a lot of children. It's the demographics of Leawood and the surrounding community. Are you asking how far they'll drive? What details are you looking for?

Comm. Strauss: I guess if it's generally people who live in Leawood and Overland Park; I would think they would know Park Place.

Mr. Merz: We thought that, too. I think a very telling statistic is that 64% of the people don't know they're at Park Place. They could be at Town Center; they could be at Hawthorne. That was all based on people coming to Park Place. That tells you that the local community does not know where Park Place is, and if they're at Park Place, they don't even know they're at Park Place.

Comm. Strauss: You're the expert on these types of developments, and you're the new owner. If you were starting over, would you have designed it differently? Is there some inherent flaw that we're trying to correct?

Mr. Merz: I think the flaw is the fortress approach to it, but I think it's fixable; I don't think it's a fatal flaw. I actually think the design was very forward-thinking. It could be considered an infill sight, and if you look at Mixed-Use projects like this in other areas, many of them are designed the same way because of the density that needs to be achieved. Developers now look at signage, brand awareness and identity. It's critical. It's incorporated and well thought out from day one even before the initial design concept. With all due respect to the folks that built this project, I don't think they considered that early enough. I don't think they made it as big a part of their master plan as they should have. Again, I don't think the design is flawed; I think the signage is flawed, and I think in large part, it's because the code is flawed.

Comm. Strauss: It seems like some of the presentation from Mr. Petersen and what I've heard from others is that the parking garages are the walls.

Mr. Merz: Yes. If you take Town Center as an example, there's a line of sight directly from the street to the building façade where the tenant signs are. Our line of sight takes you to the 17,000 sq. ft. façade of the garage that John mentioned.

Comm. Strauss: It would have been helpful if there had been renderings so we could see what the signs would look like on an existing picture. I saw maybe one of those, but it would be something to think about in the future.

Mr. Merz: We obviously haven't manufactured any, but we have renderings for every sign.

Comm. Strauss: That would be helpful because it would give us scale to the rest of the building. You're right that life is changing quickly. You mentioned Uber. I had a situation where I was at the airport, and you would think that Uber would know I was at

an airport. The guy couldn't find me because it put me somewhere else. Uber is still working through their technology, but I think that if someone types in "801 Chophouse," I wonder where Google sends them. It must send them to Park Place, but I don't know what it does after that and if it sends them to their front door or any particular retail store.

Mr. Merz: It should send them to the front door. One of the funny things about that story this morning is I was standing in front of the Aloft hotel, which is a major hotel in Leawood. I saw the guy drive in circles. You're certainly able to contact the driver, and I texted him and said I was at the Aloft in Park Place. It didn't matter. He was still driving around literally for 15 minutes. In my mind, if you say it's Park Place, they should know where it is. It's a major part of Leawood; at least, we want it to be a major part of Leawood. I think it should be as simple as that.

Comm. Strauss: I'm in the transportation industry, and when we look in the future, we see fewer signs. We're seeing autonomous vehicles that will have signage in the cars. We're seeing a future with no roadway signs. There will be no need for them because it will be on display in your vehicle. It's a different industry but a different perspective of less signage rather than more signage.

Mr. Merz: I think that's a very exciting time, and I'm sure that will happen. I'm not an expert in that area. I don't know if it's 6 months or 20 years. I do know the local retailers and residents can't bet their livelihood on that. It's a great concept, but I don't think we have time for that to fully flesh it out.

Comm. Strauss: I have one last question. What is the plan for the column sign that's on the Town Center Property? Will it be left as is?

Mr. Merz: I think part of that is the discussion with the Planning Commission. From our perspective, it's on Town Center; it's not on Park Place. We understand and agree that things should be consistent. We're happy to discuss that with all of you and Governing Body to determine what is appropriate there. There are two existing signs. There is a blank corner at Nall and Town Center. We could make all three signs match. There is cost to it, and it doesn't necessarily differentiate between Park Place and Town Center. The vast majority of the customers get the two confused. I understand from Leawood's perspective that they would prefer consistency and uniformity, but I believe it would be beneficial if there was a way to differentiate it. I know those columns state "Leawood" on them, but we would also like them to say, "Park Place Village." I certainly hope that's not a sign of any disrespect to Leawood. We're happy to discuss that.

Comm. Pateidl: It may be an assumption, and I don't think it's a misconception on our part, but the feeling about Mixed-Use was this was going to be a destination that was a walkable area for people to enjoy the environment and shopping experience. I was really struck by the pictures that Mr. Petersen showed of the landscaping. Under that concept, it's really worked because it's got shade. It's got environment that is pleasant to walk in, etc. A lot of what we've heard tonight is a problem directing traffic around circles, into

garages. Are you seeing the concept of Park Place becoming one more oriented to the automobile than the foot traffic?

Mr. Merz: I think once they're there, it's the foot traffic, but the challenge is that there is no identity or wayfinding signage, so people tend to spend more time in their car because they're trying to figure out where to go. I think once that problem gets solved and they can find the appropriate parking structure, they will get out and enjoy it. There is foot traffic there. From a macro level, I think the foot traffic needs to be increased. A lot of that goes back to a lot of people not knowing where Park Place is. Once they're there, I think that there would be a lot of foot traffic once people know where to go to park. Does that answer the question?

Comm. Pateidl: I'm trying to get my arms around the real objective and the real problem to find the best solution. If we're directing foot traffic and we need to be directing cars, we're moving in the wrong direction or vice versa. Finding something that is compatible on both sides is really the idea. But it is showing a cultural shift from the original concept of what Mixed-Use was really all about. I'm sorry, but with all the Mixed-Use conversation we've had, all I heard is walkability and bike riding. I drive a truck, so that gives you an idea where I'm coming from.

Mr. Merz: Honestly, I think it's both. That's why if you go to the various signs we're proposing, you'll see that they all serve a very different purpose and have a different function. There are signs that help and support customers finding the garages, but there also is another level of internal sign that is in addition to that, that supports the wayfinding for the foot traffic. Honestly, I think they're both issues. The goal, through a variety of ways, is to increase foot traffic as much as possible. If you can't get there and can't park, you're never going to have foot traffic.

Mr. Petersen: To the issue of how far people come is a legitimate issue, not just for Leawood and Overland Park. One of the tenants wants to speak briefly because it really cuts to the core.

Chairman Elkins: If she's brief.

Unidentified speaker: Over 50% of my customers do not live in Leawood or Overland Park. I have customers from Loch Lloyd, Liberty, Mission Hills, Sunset Hills, and Prairie Village. Over 50% come from other parts of the city to come to Park Place to my store. Others could say the same thing because we have a very unique product offering. People are coming to us from all over the city.

Comm. Strauss: It sounds like there's a discrepancy, then, in the market analysis. If I understood it right, over 60% of the people are from the Overland Park/Leawood area. That's where I'm confused.

Mr. Merz: There is a large percentage, but they come from throughout the community. The statistic I quote of 64% was the percentage that didn't know they were at Park Place. We're happy to share more details of the market study with any of you.

Comm. Coleman: I would like to say I've been in Park Place as a frequent visitor. I've been to some of the restaurants that are no longer there. I've taken my kids to ice skating and summer concerts. I've felt the frustration as well as your customers as a customer, trying to find The Learning Tree. I've resorted to GPS to try to find the particular building. Then once I find the building, where do I park? I get that, and I definitely feel your pain. In the 11 years that Park Place has been in existence, what has changed that suddenly you need the signage now that you didn't 11 years ago? Could you elaborate more on that?

Mr. Petersen: Maybe I'm the best one to answer that because I've been involved in Park Place with a number of the components of the development. You increasingly heard it as it got built because you had open areas that allowed for visibility. Then there was more residential and then more office. It became more of what the ultimate structure is, and retailers came and went if I'm correct. You see now a stabilized amount of square footage and a need for one last tweak. Even the negative components take a while to ferment and actually come to the point of recognizing the need to tweak.

Chairman Elkins: Additional questions of a general nature? Then let's talk about monument signs. One of the major issues is the number.

Comm. Walden: Proposing 6 monument signs, I am fine with that, but I'm not okay with the two column signs. I would wonder if maybe it would be good to maybe disperse 1 or 2 of the 6 monument signs on the corners to take the place of the column signs. A column 25 feet high on the corners that they are proposed doesn't seem like a very good idea. I would be okay with the 6 monument signs.

Comm. Pateidl: Mr. Petersen, in your presentation, you referenced the monument sign as an architectural element. It was maybe a little over a year ago that this body dealt with the recognition of Park Place and its identification from a distance, and we came to the resolution of architectural elements that simulated the towers that were proposed and approved. If I remember right, there were 4. I might be mistaken. Are you maybe barking up the wrong tree? You called the column an architectural element. You have approval for 4 architectural elements. If you want to make a change to that Final Plan, perhaps that's an opportunity to do that. I would parrot what Commissioner Walden just said that the column has some problems. I simply don't share your same architectural feeling, I guess. Be that as it may, I think I want to point out to the merchants in attendance that the city has been thoughtful of the problems of identification and location for Park Place, but we're also very attentive to the issue of precedent. The reason we went to the architectural element, bending the rules as far as the LDO was concerned, was that so that if, in fact, another Mixed-Use area wanted to do something similar, it would be viewed as an element we thought was appropriate for the city. To that same line, you referenced the Pylon sign as an architectural element. I think there is some common ground, and there

has been a willingness of the city to move forward and assist in this deal. To be honest, I was a bit disappointed that no reference or comment was made regarding the approval of the architectural elements in our previous efforts on this very same subject.

Mr. Petersen: I wasn't involved in that application, so I don't know. Those architectural elements were approved. The only messaging on those architectural elements was that they were in the City of Leawood. There was no messaging for the tenants. We're asking for some brand identification for the district. I don't think anybody is suggesting that Leawood purposely has turned a blind eye to the challenges of Park Place. There have been requests made and approvals granted. I think part of what this is about is a comprehensive approach, not just looking at a piece here and a piece there. Urbanism, new Urbanism, Mixed-Use; everyone wants it to feel like downtown like it was in the old days, but people have to get there in cars. That's just the way it is in suburbia. We're trying to take stock and try to come up with a comprehensive approach to all the elements to make sure they work together. As we hopefully continue to jointly study this and come back after we see the Governing Body, we can look at those architectural features and see if we can take advantage of them.

Chairman Elkins: Can you share with us what the occupancy rate is of the residential portion?

Mr. Merz: It's 92%.

Comm. Strauss: I've got a general comment for the other commissioners. I don't want to take away from your opportunity to ask questions of the applicant, but I also feel like we need to take a comprehensive look, like Mr. Petersen said, and go back and decide if the LDO needs to be changed in some areas. I feel like maybe it does need to be updated to 2016 in some areas. I think that's going to take a work session. I don't feel comfortable approving this when even 40% of it we can't approve. I feel like it's going to take some renderings of what it will look like, some other examples of these kinds of signs in other environments to be able to make recommendations to modify the LDO. I want the commissioners to ask other questions, but I feel like this needs to be continued in order to have a work session.

Chairman Elkins: Thank you. I think we've acknowledged from the beginning that this is the first stage in the process.

Comm. Ramsey: With Commissioner Strauss, I would agree with that. I'm not opposed to looking at this in terms of a comprehensive standpoint. I hate this idea of folks coming in piece by piece, and then we get a precedent set, and we get put in a corner without understanding the ramifications of our decisions on down the line. This is a lot of information to process, trying to figure what is in and what is out of the LDO and how we can adjust it. Is it truly in Leawood's best interest to allow the adjustment? Until we have that comprehensive discussion, I don't think we'll really know that nor have a better understanding. I have one question for Mr. Petersen. On the car park, the only concern I have with anything tonight, particularly on the Nall entrance, is with the identification of

the merchants. Has there been any consideration to potential traffic hazard that it might create in terms of people stopping at the entrance to view whether or not it's the place they're looking for? The concern I have is with the high traffic volumes on Nall. That is not a place to be sitting, trying to figure out if it's the parking garage they need. It's not that big a deal on 117<sup>th</sup> because it's not so bad.

Mr. Petersen: If I recall, there are deceleration lanes. I don't think there is a safety concern. If it is designed appropriately, people will have to do sign recognition. I'd like to talk about continuance. In no way am I suggesting that this body's input is not important. I think it will be part of the process. What I would suggest is whatever commentary you feel giving would help the process. This is hundreds of thousands of dollars of the owner's money committing to this. We don't want to waste a lot of money designing it to find out that the Governing Body doesn't want to change the code at all. We'd really like to get up there with general direction. It won't just happen at Governing Body; it can't. It would require code amendments, which would come through this body. I would hate to have it stopped here and spend months at the risk of Governing Body not wanting to change anything at all. I sense if we're able to put a sign up, we'll be back here.

Chairman Elkins: That was the reason I asked you the question at the outset, trying to figure out procedurally how you get from here to there. My sense is that it's likely if we put it to a vote tonight as an entire plan, you would get a negative recommendation, but a negative recommendation still gets you to City Council.

Mr. Petersen: What I've heard tonight is the richness of discussion we wanted to hear.

Chairman Elkins: City Council is used to us putting together a recommendation, and most cases support. Sometimes they disagree; sometimes they agree. We've got a bit of ground to cover still tonight. I agree with Commissioners Strauss and Ramsey's thoughts, but again, I think we owe it to the city and ourselves to give whatever input we can right now with respect to initial reactions. We're almost in a quasi-work session as it is. Anything additional about the monument signs? I think the richer discussion is probably in the next category.

Comm. Block: Rather than taking all of these individually in this application, if we're going to forward something on, is the concept of backlighting okay or not okay? Are the size restrictions okay? I just wonder if you take 4-5 of those main hurdles that are basically covering all of these in some form or fashion and putting them forward versus each category.

Chairman Elkins: I think that's a fair point. With that, let's talk about the lantern-lit approach.

Comm. Block: I guess we want to delve into it a little bit. It's referred to as R1 Resin, and it looks like it covers all these signs. Some are backlit with LED; some are with fluorescent tubes. Is the appearance the same? I don't know much about lighting, but I

know even a warm fluorescent light has a lot of different color than an LED and vice versa.

Mr. Petersen: I can't speak to the temperature to the light, but that's very good information to provide.

Comm. Block: LED sounds higher end to me than fluorescent tubes. I guess that helps me.

Mr. Petersen: We talk about glow of a lantern to have a soft light that is enough to read and be safe. We would provide additional intensity information as we go up.

Comm. Block: You made reference to external lighting. Could you achieve what you are trying to accomplish with it? I understand you would prefer this style, but could you accomplish it with external lighting?

Mr. Petersen: It would be a departure from the style we're trying to bring, the look of Park Place. We just think it's a softer look that is less of a pop. It serves a purpose but is not the primary component of the visual impact.

Comm. Block: I don't think any of the styles you showed us were that concept.

Mr. Petersen: This is a new concept in the area.

Comm. Pateidl: My experience when I walk through Park Place in the evening is that the lighting is pretty good. Would the merchants rather have signs with their name on it or signs with a light on it? I don't see the light serving a major purpose. I'll make a caveat to that. You've introduced a new technology that none of us have any experience with, and all we've seen is a ¼ in. piece of glass. I guess a person could be open-minded, but it's an area to say that there are grounds for compromise. You want direction. You want people to understand where their stores are. It doesn't necessarily have to have the clutter that staff is concerned with associated with the lights if in fact it is clutter. I don't know. We need to know more.

Mr. Petersen: In terms of the exact intensity, more detail could be provided. The general answer is that tenants want enough light that show the pedestrian directory signs and other signs. If you pulled in to get into the AMC parking lot, you would need lighting.

Comm. Pateidl: I was talking about internal directory signs. You want to know what's down the street. You get to the corner, and it will tell you what's down the street. I believe there's enough light to read it. You see my point.

Mr. Petersen: I do. We need some further determination of the foot candles with existing lighting.

Comm. Pateidl: We have a real issue of deviations on almost all the signs because of the illumination. There are parts where the illumination is extremely important, helpful and in the interest of public safety. There are other parts where I think it's a matter of pollution and isn't necessary. I understand that the more sizzle we can get, the better the steak tastes.

Mr. Petersen: If we were blessed with going forward to City Council with these kinds of comments, we would work with staff to provide more data on light intensity. They'll hear your comment. Again, it can't be approved there because of the needs for amendments.

Comm. Pateidl: The word "planning" implies future, and what we do here is going to impact the future of what goes on at 135<sup>th</sup> Street. Being cognizant of that responsibility is important, and it deals with the details.

Mr. Petersen: You are right. If we came out of this and the ultimate decision is the 2002 code is what we're going to get, you'll have a hard time getting people to build retail behind buildings on 135<sup>th</sup> Street. I think yes, this is an exercise that will hopefully give the city guidance for application here and where there will be remote off-street retail.

Chairman Elkins: Thank you. Other comments regarding the lantern lighting? Moving on to what I perceive to be probably the most significant group of issues raised by the application has to do with the tenant directory signs. They are in a number of different forms and fashions. I would open the floor to questions or comments relating to the tenant directory signs. I'll start if no one else will. Mr. Petersen, I realize you and your client weren't the owners of the building in the most recent go-around in terms of signage. When the previous owners were here, we had a lot of discussion around directory signs within the garages themselves. There were various LDO reasons around whether they were acceptable or not. It may be another reason to modify the LDO. I'm interested that those were not in this sign package. Can you comment on the idea of directory signs within the garage as opposed to the signs on the outside of the garage?

Mr. Petersen: Would these be vehicular signs, like which floor to park on for what establishment?

Chairman Elkins: No, my recollection is we had an animated discussion around the idea of smaller directory signs inside the garage. The concept was you recognize Park Place. You come in and are confronted with the issue of where to go. The prior owners proposed signs inside the garage that listed merchants and arrows. You're out of your car and are reading the signs on the garage.

Mr. Petersen: That is exactly what we're proposing, but we're not putting them in the garage; we're putting them at the garage exits in the breezeways between the buildings. Once you exit the garage, you can get bearings. Of course, the tenant signage on the garage is to try to put discipline to which retailers are which direction.

Chairman Elkins: My immediate reaction without seeing them is that as I see them in my mind's eye, they feel a lot more like marquee signs. No negative comment intended, but the concept I'm getting is almost like a sense of going to a movie theater, but instead of the movies, you have the tenants that are in this particular section of Park Place. I will tell you that it troubles me a little bit in terms of the visual aesthetic on the outside of the building. I'm very sympathetic, and I appreciate and understand the concerns the merchants have raised tonight. Collectively, we need to find a solution to that. I'm not convinced that what I would describe as a marquee sign at the entrance to the parking garage as it faces Nall is the answer. Maybe I misunderstood what you were proposing.

Mr. Petersen: I understand. You're conjuring up a sign that you slide the plastic out and slide the next one in. Obviously, you would expect us to say that we believe it is a very high class center. I'm not saying it will look just like this, but the one example we showed was a stylistic approach to the issue. (*shows example*).

Chairman Elkins: Are these signs expected to have the same lighting effect so they would show up at night with the glow?

Mr. Petersen: It will be lantern lighting.

Comm. Ramsey: I share that concern. I am all for the directional signs for the merchants down in the pedestrian ways. That makes sense to me. Whether they're lit or not is another issue, I think. The concern is just exactly what the chairman has been talking about with some type of marquee. The example you gave of the other shopping center was half a dozen. In this case, there will be 12-15 listings.

Mr. Petersen: It will have 9 per panel.

Comm. Ramsey: What happens if someone comes in the back way? How will they be helped if they come in off Ash Street, turn right at California Pizza Kitchen and go to the parking garage?

Mr. Petersen: There will be a parking garage on 117<sup>th</sup> Street that will indicate the tenants that are on that street. They will know from the outside world that is the garage to park for those. If they want to be on the other street, they will come off Nall. It just gives some general wayfinding. Designing this to make it work is something Brett has challenged the designer with. If we get past concept, we'll really work on a design that is tasteful. I would be remiss if I didn't mention that this is so critical for the tenants. They compete with people who can see the retail in the development across the street. We're different. We're not asking for garish or different lettering styles. I don't think it looks bad. We're looking for a way to say there are retailers, to say where they are and where the general area to park is and maybe do it in a more uniform manner.

Chairman Elkins: What concerns me more is the façade facing Nall, although if you look back in the record, you'll see a fairly long diatribe about something the length of a

football field having very little variance in it 10 years ago. I'm more comfortable with the idea of some sort of signage on 117<sup>th</sup> facing Town Center to your point, Mr. Petersen.

Comm. Strauss: I was thinking about one of our greatest Mixed-Use areas as The Plaza. I don't think there are any of these multi-tenant signs around. I'm worried that there are 9 tenant signs on Building A, 9 on B and 9 on C. I'm worried about the whole signage plan when Building A is in the middle, Building B is south and Building C is elsewhere. That doesn't seem logical. I think the idea is how to improve people getting to the site. Once they get to the site, I don't think there's a problem what garage they park in because like Commissioner Pateidl said, this was built as a pedestrian friendly area, and nothing is that far of a walk. I think it's good for businesses to have people walking by other businesses.

Comm. Ramsey: That's where I was going with this. If someone misses the information of what parking garage they're supposed to be in, you've already got authorization for information signs for all merchants inside the garages. Then they have information for all merchants, not just the ones close to that garage.

Mr. Petersen: Really, A and B are the focus. We also have to balance the parking. There are only so many parking spaces, and the garages do get full, particularly during the night events. The difference between parking here and Country Club Plaza is almost all the parking there is wrap parking. All the retail or offices wrap the structures to the outside as opposed to being more of a visual barrier the way they are here.

Chairman Elkins: Under the rules of the commission, we need a motion to extend the meeting. It would be the chairman's recommendation that, should the commission decide to extend tonight's meeting, we extend it for 30 minutes with the idea of 15 additional minutes for questions to Mr. Petersen and the applicant and 15 minutes for final comments. My sense is the applicant would like us to move one way or the other on this application, and the idea of having made a determination by 9:30. I will invite comment in the next two minutes or a motion to extend.

**A motion to extend the meeting 30 minutes until 9:30 was made by Pateidl; seconded by Coleman. Motion carried with a unanimous vote of 7-0. For: Walden, Levitan, Pateidl, Strauss, Ramsey, Coleman and Block.**

Chairman Elkins: The meeting is extended to 9:30. Any additional commentary on the idea of directory signs, either on the outside of the facades or the internal portion of the development?

Comm. Levitan: I think out of the entire signage package, the only thing that struck me as a bit out of the ordinary was the tenant signage on the garages. With that said, I drove through the development probably 8 times today. I was struck by the fact that the streetscape looks fantastic, but the signage is pretty antiquated. I think there is a way to meet in the middle here. I think the tenants need a little help. I think the development needs a little bit of help here. That was the one signage piece I just couldn't get comfortable with because I think it's a huge distraction. As much as the tenants are going

to want it, I think there are some ways to address with tenant directories inside the park. As a point of housekeeping, I wonder if the trees can be thinned out a little bit at the signage level. They're pretty well hidden. I think the Landscape Plan was spot on and it looks fantastic, but it sacrifices signage. I don't know that it was contemplated when the development was first conceived. But I do recognize that the tenants in the park need a little help with the branding. I'm just going to blow through this. I think the Skyline ID is a great idea. I think the tenant directories at the street level are a great idea. The one directory they have, which is on the southwest corner of the rink is not good. I think their overall plan is to modernize and stay tasteful. I'm generally in agreement with all that. I don't know if anything could be done on the trees. But the one piece on the garage, I just couldn't get over the logos. It cheapens the development, in my opinion, as much as the tenants are not going to want to hear that, but I think the signage needs to be enhanced.

Chairman Elkins: Thank you. Commissioner Walden?

Comm. Walden: The plan labels 4 signs plus a blade sign plus banners on the next sheet. It's a lot of signs. I'd like to see that thinned out.

Comm. Pateidl: I have comments but no questions on the directory signs.

Chairman Elkins: We've talked briefly about the towers. Let's talk about the column signs, known by staff as the pylon signs. Comments or concerns about those signs?

Comm. Ramsey: Mr. Petersen, if you get all 6 of the monument signs, what is the purpose of the column signs?

Mr. Petersen: Again, we think the column signs add a bit of architectural flair. They are not necessarily at a point of ingress and egress; they more mark the parameters of the district. I think that's something that we should look at as we move up to City Council to see if there is utilization of monument and the architectural feature that we could address some of the issues raised here tonight.

Comm. Ramsey: To me, they seem redundant, particularly with the use of the monument signs. If they didn't have monument signs, I understand the columns. It just looks like additional clutter going in. That's just my opinion on that. I don't think they're necessary.

Chairman Elkins: Thank you. Any other comments on the column signs?

Mr. Petersen: I had one tenant come up, and I would be remiss if I didn't pass on that she is pleading for signage. They need some retail signage on the outside. They're having trouble. They're good folks, and they've worked with us, and we're here to help them. I'm just passing that along. I know you've heard it before, and the issue has been adequately presented.

Chairman Elkins: It's an important issue, and as I said before, I'm more than sympathetic to the merchants here. We have to find a solution to this, one way or the other. We need to reconcile Leawood sensibilities with the needs of the merchants.

Mr. Petersen: Regarding the columns, they are wayfinding in a way because they are visible from the major intersections, while the monuments are more of a confirmation that you are entering the development. That is the difference.

Chairman Elkins: There was a fair amount of discussion about the roundabout sign. Comments or guidance with respect to what I think was a directory sign in the roundabout?

Comm. Walden: Absolutely not. It's a safety issue.

Comm. Pateidl: Pedestrian safety is the real issue there in my mind, anyway. If you have a little old lady going around that corner reading the sign, she could run over a mother and child in a stroller. That is a problem.

Mr. Petersen: Safety is what we the most are worried about. The problem we have out there now is the safety of that little old lady going, "I don't know where my store is," and craning her neck down the street. This is a safety issue. I feel as much passion from the anecdotal information I've heard on this issue as the one to get people to come shop. This is a big safety issue now.

Comm. Block: I would agree. I think the safety is a concern, but I think it's fixed with raising up the canopy of the trees and thinning them out. That's how you could see the stores better versus putting more signs in that circle.

Comm. Ramsey: I'm a little concerned here because I thought the concept of Park Place was to move cars into the parking garage instead of having them drive up and down the streets looking for places. They go into the parking garage, and if there is adequate signage in the parking garage along with additional pedestrian signage out on the walkways, which gets them where they need to go. The additional signage for vehicles as to where to go internally was across purposes, to a degree, with the concept of Park Place itself, which is to immediately move cars into the garages.

Chairman Elkins: Your perception is certainly the same as mine, and I've been dealing with Park Place longer than anyone here. That has certainly always been my understanding of the concept. I will share that is one of the concerns I have. Again, I have absolute sympathy for the merchants and trying to figure out a way to fix this, but the concept of the prior owners was a concept of a very pedestrian shopping experience. I am sympathetic to the issue of identifying Park Place because that monster façade on Nall says nothing about Park Place until the monument that says, "City of Leawood," which I'm pleased that it does, but it still doesn't identify Park Place. That is one issue that needs to be addressed by the signage. But my understanding of the concept that we approved was the idea that once they found Park Place, it became a very pedestrian

experience. I recognize times have changed, and that is a distinction between Town Center and Park Place. Town Center was supposed to be visible. Some of us have issues with monstrous parking fields, but that is a different issue for a different day.

Mr. Petersen: Park Place is supposed to replicate days gone by, supposed to replicate downtown and the Country Club Plaza where it's an experience. You stroll while you shop. You don't pull up, grab groceries and get in the car. But every one of those I just identified has cars in front of the stores. It has parallel parking in front of the stores. It still needs an element of convenience. Your point would make it less traffic if people know what garage they're going to. I think that is support for my outside signage. The point is there is going to be pedestrian and vehicular interaction. This may just be a difference of opinion. No signage so people go by gut or instinct is less safe than minimal signage that sends people in the right direction.

Comm. Ramsey: Then the signage is in the wrong place. The worst place to put vehicle signage is in the middle of that traffic circle.

Chairman Elkins: Additional commentary on the traffic circle sign? The only other category of sign we haven't talked about is what is referred to as the parking totem. Comments about the totem? Mr. Petersen, could you give us two sentences on what it is?

Mr. Petersen: That is the drive just to the south of AMC. You go to the west to get into the parking garage on the northern entrance. Everybody passes right by it.

Comm. Ramsey: If a car is pulling in, that entrance doesn't have any of that information on it.

Mr. Petersen: There is a sign that is in accordance with the ordinance.

Chairman Elkins: That is literally where you would put the parking totem?

Mr. Petersen: It would go there and be a little bigger with lantern lighting. If you want people not to proceed in there, get a sign in there so they turn. It will help with the hotel that hopefully is going to develop on the green space area.

Comm. Levitan: Back to the roundabout, I'm not as closed off to that idea. I want to see a rendering of that. I've spent enough time in the development that I've seen people start and stop in the roundabout. It takes longer to get down Ash because people are struggling with it. Safety is paramount; don't get me wrong, but if it improves traffic flow and it doesn't impair sight lines, I'm open to seeing more of that. As far as the parking pylons, I think they're an absolute must. Those garages are hidden, especially the one by AMC and the future hotel. I think getting people to the parking is paramount.

Chairman Elkins: I will note that it's a possibility that the issue with the roundabout is just lack of familiarity that Kansas Citians have with dealing with roundabouts as well.

Comm. Levitan: Correct.

Mr. Petersen: The directional signage proposed for the middle of the roundabout isn't just for a specific tenant; it's to tell people where the parking garages are. We're trying to get people to the nearest garage.

Comm. Block: I don't think you touched on the skyline sign, so my only comment is what was brought up with the pylon sign and the skyline and the monument signs. It just seems like all three of them are a lot, and I guess you could say that people from farther out need to see the skyline and the pylon. It just seems like all three of those seem to be too much. Maybe with any of those signs to help tenants, if people don't know what Park Place is, I don't know if the logos are going to help. Should it not say something about restaurants and shops or something like that on the outside versus trying to identify every tenant in there? It solves the problem for the tenants but doesn't provide the clutter.

Chairman Elkins: There is one thing that staff did not object to, which is the question of the tapestry. Are there any comments or reflections on the canvas signs, acknowledged to be more akin to architectural features as opposed to signs?

Comm. Block: My only concern is the maintenance of them. My fear is they would look tattered after a short period of time. Would there be a requirement to keep them fresh?

Mr. Coleman: I think they're made of Sunbrella fabric, and we have requirements for them to be maintained.

Chairman Elkins: Other comments about the skyline or tapestry? Then let's move on. This has been an unusual evening, but let's proceed to the final comments. Commissioner Block, we'll start with you. If we get to 9:30, we'll extend it one more time.

Comm. Block: In its totality, I think it's probably too many signs. I don't know if that's what you're looking for. I think the idea of the backlighting needs to be explored more. I guess maybe I'm talking about the perimeter and maybe the tenant sign. I think it would help if there were renderings at the street level of all of these, overlaid on a current photo. It would help with scale.

Comm. Walden: Generally, I'd like to see us finding common ground with these signs. I'd like to see if we can make changes that are applicable only to Park Place. Then, keeping in mind the aesthetics and practicality of the signs - for example, their size and purpose. I don't know if it's even possible, but have rules and regulations that are applicable only to Park Place. I know it takes quite a few months to do that, but for the future, it might be the way to go.

Comm. Coleman: I've been listening a lot to my fellow commissioners and the audience as well, trying to assess input and see where everybody is. I still hear a lot of unanswered questions. People want renderings. They want to visualize what they want to do. I also understand Mr. Petersen has said several times to just take it to Governing Body and

move it along. I've only been here a year, but I've never seen this body push something along when there's not a comfort level. I don't have a comfort level at this point.

Comm. Levitan: I would tend to agree with that, but I do understand Mr. Petersen's point of wanting to know if the Governing Body is going to flat-out reject LDO modification. I think that's a fair point because otherwise, all of this other discussion is moot. If we keep noodling it down here before it gets up there and they reject it, we've wasted a lot of time. I think he's got a good point. I think we need to figure out how to get there, and I'm not smart enough to figure out how to do that. But I think it's a reasonable request. With respect to the tree thinning, I want to make sure that no environmentalists show up at my front door. I'm not talking about taking out trees; I'm talking about trimming. Regarding the other point about the roundabout, if we can figure out how to execute Roe and 435 diamond exchange, we can certainly figure out how to get about a roundabout with tenant signage. We need to step back and think about it that way. I think we need to give ourselves more credit as pedestrians and drivers here.

Comm. Ramsey: Following up on the roundabout, I'm really not opposed to it. I wouldn't say no to it. I would be more inclined to support that if we could adjust the signage to maybe a normal traffic information sign location to the right-hand side of the street. When you put it in the roundabout, it's a nonstandard location. People aren't used to looking at that. I understand they're going straight into it, but if we're talking about traffic information, a normal traffic sign would be on the right-hand side. I could probably live with that. I'm okay with the signs in general. I don't think the monument signs are necessary, the big tall ones. I understand what they're saying about them, though. I still say we have already supported informational signs inside the parking garage. I would think that would be a natural thing for them to utilize. Like all of you, I would like to see more on the glow signs. I'm not opposed to that, but I would not be willing to approve it without an example and discussion. If they want an answer tonight, we can always deny it. It still goes to the Governing Body. They still can kick it back to us and give us time. If we deny it, we can provide the information of why we were to deny it with all these issues we've brought up, along with the fact that half of the signs don't meet the LDO. Does City Council want to think about amending the LDO? Overall, I think they need help on the signs, and I think it needs updating. Procedurally, there is no way we can approve it because there are too many elements in the LDO that are not being met.

Mr. Petersen: Could I offer a suggestion on procedure? We've stated that you can't approve the package. It is always the option of the Planning Commission to send something on with no recommendation because you can't. I think the richness of the discussion tonight that is in the record offers City Council the basis to make the fundamental decision of whether or not to attempt to modify the code. It will come back here.

Chairman Elkins: At this point, we need to extend the meeting one more time.

**A motion to extend the meeting 15 minutes until 9:45 was made by Ramsey; seconded by Coleman. Motion carried with a unanimous vote of 7-0. For: Walden, Levitan, Pateidl, Strauss, Ramsey, Coleman and Block.**

Chairman Elkins: That brings me to Commissioner Pateidl.

Comm. Pateidl: As a point of clarification, if we come to no recommendation, according to the LDO, it is tantamount to disapproval. Having said that, I think everybody on the dais agrees that we need to do something to assist the merchants. I think we need to recognize part of what the problem is. Our LDO has served us very well on signage for individual commercial operations. It has done its job as far as the appearance of the city is concerned. What we have is trying to beat that to fit and paint it to match in a situation when we're really talking about a complex; we're not talking about a business. When we've got so many different entities involved in such a broad space, the LDO is not really sufficient to address that for a commercial operation. Having said that, this is not without precedent because we had the same situation with the Church of the Resurrection. They brought a plan, and it was fully in accord with the LDO. It was very quickly approved, and it has been effective for them. I'll grant you that 801 Chophouse is very different than Church of the Resurrection, but my point is that it can be done, and there also has to be compromise to get it done. I think this document is a terrific foundation to move forward to come to some recommendations to the Governing Body. It's not been done in my term on this commission, but candidly, I would like to see a task force built from members of this commission, of staff, of the legal department, and the merchants, to really look at the goals, needs, desire and problems are as far as our LDO is concerned. They could come back and give recommendations to the Planning Commission and the Governing Body if someone from that body was involved to where we may be wasting the time of some folks but not everybody. I think it would resolve the problem and the question of not wanting to proceed with the time and expense because we're going to look for renderings. We're going to look for samples. We're going to look for vendors to give us presentations on this type of stuff. I would envision a task force to do that. At least we could come to some reasonable conclusions within that group before we bring it to a body such as this. That would be my recommendation.

Comm. Strauss: I wanted to start out by saying that Mr. Merz, from my point of view, it is commendable that an owner wants to invest in the development. I think we all appreciate that, and we are all interested in the businesses thriving. We're all on the same page there. I'm not in favor of a no decision. In the 6 years I've been up here, we've always said it was our duty to come up with a decision. I'd like us to make a decision for the Governing Body. I think everything else has been said, so I'll leave it at that.

Chairman Elkins: Thank you. One of the statements of policy that is in the LDO section on signage has to do with making sure the signage is not cluttering. While it may not be a completely fair comment, I would say that the exhibit that was given to us tonight looks like a cluttered map to me. I realize that there are different kinds of signs. I have some concern there. We have talked about the details before: the idea of both the tower signs and the monument signs, the idea that there is a host of tenant directory signs here that

could be whittled down some, it seems. I express that concern. Where I should have started is that my number one concern in this instance is with the merchants. We've got a real dilemma here not only on this commission but with the City Council as well because the point is well taken that part of our implementation of the 135<sup>th</sup> Street Corridor has got to be a consideration and frankly a revamp of the sign ordinance. Unfortunately, I don't think the merchants can wait that long. I think that Commissioner Pateidl's idea of a task force is excellent and probably is the right, rational approach to addressing this, but I still think the merchants can't wait for that. That is the dilemma I find myself in and that I think the city and staff find themselves in as well. We need to find a solution for the merchants at Park Place. What makes it the jewel of Leawood are the merchants that are there. If those merchants can't survive because people can't find them, the jewel loses its shine very quickly, and the owner has the challenge of repopulating that once we get through a task force. I think those are great ideas, and it's going to be somebody smarter than me who reconciles those and makes progress for both the merchants and the city's long-term interest. There is a part of me that even says that we, as a commission and City Council, consider modifications to the LDO now with the idea of a more reasoned, rational approach with concerns about precedent of having one of our first task force to be a review of signage not just for 135<sup>th</sup> Street but for the entire city.

Having said that, I'll move on to specific comments to give a sense of where I stand on these things. I'm not a big fan of the tapestries. It is hard for me to see how it fits in with the architecture. You heard my comments earlier that this was conceived of and has always been a pedestrian development and not one that would be one that would be immediately obvious from the street. For better or for worse, we did build a big old wall along Nall, and we walled ourselves off from Sprint and everything else. What's done is done. I am concerned about the tenant directories on the outside of that façade along Nall. While I struggle with the idea that it is an unbroken expanse of wall, I'm not sure that the 12 tenant logos that I counted seem like a lot, and still seems to pose the risk of appearing more like a marquee. I, too, would favor the extended number of monument signs in lieu of the tower signs. With respect to the existing architectural elements, there is a broader picture here. I'm very sensitive to the merchants and the owner of the development, but Leawood, in its own inimitable fashion, has created a downtown area from scratch between Town Center, Park Place, City Hall, the Library, Justice Center, Camelot and Town Center Crossing. I know Park Place wants to distinguish itself, but it also has to be considered within the context of the whole of the Leawood community. Recognizing that and navigating that bit of dilemma to have your own distinctive identity but yet to be seen as a part of Leawood, those towers we have now accomplished that. I will say that somewhat to my chagrin, the idea with the previous owners was they were going to have to wipe out "City of Leawood" and put "Park Place" on that spot. I think you bought it before they got there, so it still remains. I am on the fence. I was definitely against the roundabout sign. You all have kind of talked me back to reasonability about whether that might be appropriate. I think that the parking totem is intriguing. Those would be my comments. I do have a question for staff. I was interested in Mr. Petersen's view. As I look at the LDO and procedural parts related to activities of the Planning Commission, I don't see authorization for making no recommendation to the Governing Body.

Mr. Hall : If you look at Section 16-5-2.1, you will see options for failure to make a recommendation. It is essentially a denial. They are the same thing. I don't know how you would procedurally make a recommendation for denial. I suppose you would just let it sit long enough so that it would die and then go to Governing Body as a No Recommendation, which is the effect of a denial.

Chairman Elkins: To refresh, we serve as an advisory body to the City Council, so any action we take is a recommendation. Typically, that is a favorable recommendation. We always have the option to recommend denial, which is what our staff has advised us to do. Then we do apparently have the opportunity to refer it to City Council with no recommendation at all. My perception is that, given that the current plan has provisions in it that are outside our authority to approve, I'm not sure we have much of a choice but to recommend it for denial. That would achieve Mr. Petersen's goal of getting to City Council and getting their sage input on the idea of modernizing the sign ordinance and sign package. Having said that, the commission is free to take the approach they see best. That moves us to a motion.

Comm. Pateidl: I think in deference to a denial of this proposal, given the comments that are on record, which for the most part, is a positive recognition that we have a problem that needs to be resolved, that if we move this forward to Governing Body with no recommendation from us, the message is clear that there should be a solution. This is a denial, but we don't have to say no to achieve that, which moves it to Governing Body anyway. I feel like it's more of a message that we want to see some action that this gets taken care of if we send it with no recommendation.

Chairman Elkins: Any other comments before we move to a motion? Seeing none, it sounds like Commissioner Pateidl may have a motion in mind.

**A motion that the Planning Commission move CASE 66-16 – PARK PLACE – REVISED SIGNAGE – Request for approval of a Revised Final Plan and Revised Final Sign Plan, located north of 117<sup>th</sup> Street and east of Nall Avenue – with no recommendation – was made by Elkins.**

Comm. Levitan: Can we attach the caveat that, although we are denying, it is on the basis of the LDO modifications?

Chairman Elkins: The motion is for no recommendation at all, so it just has the impact of denying. Certainly, what you said is on the record, and I think there is a consensus for that.

**Motion seconded by Levitan.**

Chairman Elkins: Is there any discussion?

Comm. Strauss: I just feel that there are 8 of us that don't agree with it and would deny it. I still don't get the no recommendation. There are 8 of us that agree that this is not the

right plan. I'm going to vote against it because I think it should be sent with a message of denial.

**Motion did not carry with a vote of 0-5. For: Levitan and Pateidl. Opposed: Walden, Strauss, Ramsey, Coleman and Block.**

**Motion to recommend denial of CASE 66-16 – PARK PLACE – REVISED SIGNAGE – Request for approval of a Revised Final Plan and Revised Final Sign Plan, located north of 117<sup>th</sup> Street and east of Nall Avenue – for reasons staff laid out in the Staff Report and comments made - was made by Strauss; seconded by Coleman. Motion carried with a vote of 6-1. For: Block, Coleman, Ramsey, Strauss and Walden. Opposed: Levitan. Abstained: Pateidl.**

*MEETING ADJOURNED*