

**City of Leawood
Planning Commission Meeting
April 25, 2017
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: Levitan, Pateidl, Elkins, Ramsey, Coleman, and Block. Absent: Belzer, Hoyt, and Strauss.

APPROVAL OF THE AGENDA

Chairman Elkins: Does staff have any additions or amendments to the agenda?

Mr. Klein: No.

Chairman Elkins: I would entertain a motion.

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

APPROVAL OF MINUTES: Approval of the minutes from the February 28, 2017 Planning Commission meeting.

Chairman Elkins: Do any commissioners have suggestions for changes to the February 28, 2017 minutes? If not, I would entertain a motion.

A motion to approve the minutes from the Planning Commission meeting was made by Ramsey; seconded by Block. Motion carried with a unanimous vote of 5-0. For: Levitan, Pateidl, Ramsey, Coleman, and Block.

CONTINUED TO THE MAY 23, 2017 PLANNING COMMISSION MEETING:

CASE 08-17 – THE RESERVE AT MISSION WOODS – Request for approval of a Zoning to R-1 (Planned Single Family Low Density Residential), Preliminary Plan and Preliminary Plat, located south of 103rd Street and east of Mission Road. **PUBLIC HEARING**

CONSENT AGENDA:

CASE 28-17 – UNITED METHODIST CHURCH OF THE RESURRECTION – CAMPUS SIGNAGE – Request for approval of a Revised Final Sign Plan, located south of 137th Street and east of Nall Avenue.

CASE 35-17 – CHURCH OF THE NATIVITY – CHURCH EXPANSION – Request for a Revised Final Plan, located north of 119th Street and east of Tomahawk Creek Parkway

Chairman Elkins: Does anyone wish to discuss any of the cases on the Consent Agenda?

Comm. Coleman: I would like to remove Case 76-17 – Camelot Court.

A motion to approve the remainder of the Consent Agenda was made by Ramsey; seconded by Block. Motion carried with a unanimous vote of 5-0. For: Levitan, Pateidl, Ramsey, Coleman, and Block.

CASE 76-16 – CAMELOT COURT – PARKING EXPANSION – Request for approval of a Revised Final Plan and Revised Final Plat, located north of 119th Street and east of Roe Avenue.

Chairman Elkins: Commissioner Coleman, do you have particular questions, or would you like for staff to make a presentation?

Comm. Coleman: I can just ask staff a couple questions. I noticed that in the report, it said the city is selling the land to the owners of Camelot Court. Can you detail how much land is being sold?

Mr. Klein: The amount is a little bit less than an acre. It is on the east side of Camelot Court. They are proposing to add 54 parking spaces in that area. There is an existing berm with existing landscaping. The landscaping will be relocated to the east to allow for the parking. This will improve the parking ratio. Currently, they have 1,008 parking spaces. This will increase it to 1,062

Comm. Coleman: Is the intent for employee-only parking in that area? I did not see any entrances.

Mr. Klein: I believe that is the intent. They are trying to free up parking in front of the store.

Comm. Coleman: All the landscaping is relatively new.

Mr. Klein: That is correct.

Comm. Coleman: Is there intent to move the existing landscaping?

Mr. Klein: It is my understanding they will move what they can and replace what they can't move.

Comm. Pateidl: Mark, you indicated they will add the 54 parking places in the land being purchased from the city. Given the fact that this is brand new land and brand new

construction, how is it that we have the application with nonconforming rules and regulations reflected on Page 2?

Mr. Klein: They are improving the situation. Currently, the drive on the east side does not meet the parking setback.

Comm. Pateidl: Is there existing parking in the back?

Mr. Klein: There is a little bit of parking. It is located farther north. They have purchased enough land to allow for a 25' parking setback, which meets the current ordinance.

Comm. Pateidl: If not for this case but for future reference, it strikes me as unusual when we have brand new land and brand new construction that we have an application of a nonconforming use included in the application.

Mr. Klein: I'm confused about the nonconforming use.

Comm. Pateidl: Under Bulk Regulations, it says, "Exterior parking, loading and service area setback provided: 5', nonconforming."

Mr. Klein: That is a piece located on the north. They are not increasing the nonconformity.

Comm. Pateidl: If this exists, that is true, but the 54 places are all going to be built on new property.

Mr. Klein: Yes, and all the new spaces will meet the current ordinance.

Comm. Pateidl: The nonconformity goes to the existing situation.

Mr. Klein: Yes.

Chairman Elkins: Thank you. Are there other questions? Unless the applicant wishes to be heard, I would entertain a motion.

A motion to recommend approval of CASE 76-16 – CAMELOT COURT – PARKING EXPANSION – Request for approval of a Revised Final Plan and Revised Final Plat, located north of 119th Street and east of Roe Avenue – was made by Block, seconded by Ramsey. Motion carried with a unanimous vote of 5-0. For: Levitan, Pateidl, Ramsey, Coleman, and Block.

NEW BUSINESS:

**CASE 21-17 – CITY OF LEAWOOD 2018-2022 CAPITAL IMPROVEMENT PROGRAM – Request for approval of the 2018-2022 Capital Improvement Program.
PUBLIC HEARING**

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 21-17 – City of Leawood 2018-2022 Capital Improvement Program. As you recall, the Planning Commission had a work session on this application on April 11th. This is now before you for a formal recommendation to City Council. I have Joe Johnson here to answer any questions.

Mr. Johnson: This was presented at the April 11th work session. Since then, there have been no changes made to this. We'll move forward with your recommendation on it. I'll be happy to answer any questions.

Comm. Block: I just didn't understand how the timing of the summary memo corresponded with the booklet in Section 3 on Page 16.

Mr. Johnson: *Inaudible comments*

Comm. Block: You're saying this memo corresponds?

Mr. Johnson: Yes.

Comm. Block: I don't see the Fire Station in year 2019 on the Project Cost document. Am I looking at the wrong thing?

Mr. Johnson: The Fire Station is not a debt-financed project, so it won't fall in the Capital Improvement Program.

Comm. Block: Is the project on 143rd Street from Nall to Windsor completed?

Mr. Johnson: That is completed. I assume they are looking at bond dates so it is bonded in 2018. 2017 residential reconstruction will be built this year and will be bonded with temporary notes out to 2019. Temporary notes for the 2018 stormwater improvements, we will design that this year. There are 2-3 projects within that to be constructed in 2018. In 2019, 143rd Street from Windsor to Kenneth Road will go under construction. Fire Station No. 1 will start construction. That is a cash-financed project. You'll have construction of 2019 Residential Street Program, and we'll be designing the 2020 stormwater improvements in 2019. Year 2020, we will finish up 143rd Street. The Fire Station should be complete. We will start Mission Road from 135th to 143rd design. I think that is scheduled for construction in 2022. 2019 residential reconstruction will be bonded. We'll be designing the 2021 residential, so temporary notes will be issued. We've bonded the 2018 stormwater improvements and then have constructed 2020 stormwater improvements. 2021, we'll construct the Residential Street Program, and we'll be designing the 2022 stormwater improvements. 2022, we'll construct Mission Road from 135th to 143rd, bond the 2021 residential, bond the 2020 storm sewer, and construct the 2022 storm sewer. Those, you will find in the CIP.

Chairman Elkins: Thank you. Other questions for Mr. Johnson? Mr. Johnson, I'm sorry; I wasn't able to attend the work session, so this may be plowing some old ground. I noted that for 2019 and 2020, we show 143rd Street from Windsor to Kenneth Road and also the Fire Station replacement. Is that just an indication that those projects will last over a 2-year period? Why do they appear in both slots?

Mr. Johnson: Construction of 143rd Street is 2019 with it being completed in 2020. We'll issue temporary notice, and we would bond 143rd in 2021. The Fire Station is a cash project. The assumption is we will start construction in 2019 and finish up in 2019.

Chairman Elkins: Thank you. Obviously, we have some street improvements on Roe and Nall. I'm curious how these projects are scheduled so we end up with traffic interruptions on both Roe and Nall at the same time. Do you have much control over that, or is it a county/state project as opposed to a city project?

Mr. Johnson: I'm not sure which project they're doing on Nall right now.

Comm. Ramsey: Mill and overlay.

Mr. Johnson: It is coincidence. Most of our projects with Overland Park are programmed out years in advance. Our project has CARS funding, so we're set to build it this year. On Nall Avenue, that was not necessarily a planned mill and overlay. It was done a couple years ago, and the asphalt had asphalt shingles in it. The mix did not perform well, so the contractor is coming back and redoing it.

Comm. Ramsey: Is that an Overland Park or Leawood project?

Mr. Johnson: That is an Overland Park project. There is no funding from Leawood on this. We funded our share the first time.

Chairman Elkins: That helps. I just had a little bit of feedback from citizens expressing concern about having both streets interrupted at the same time.

Mr. Johnson: Nall Avenue is not a program; it is a fix.

Chairman Elkins: And it is Overland Park, not Leawood. It's not like you scheduled it.

Mr. Johnson: That is right.

Chairman Elkins: Thank you. Are there other questions? This matter requires a Public Hearing.

Public Hearing

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

Chairman Elkins: That takes us to additional discussion by the commission of the Capital Improvement Program, hopefully ending in a motion.

A motion to recommend approval of CASE 21-17 – CITY OF LEAWOOD 2018-2022 CAPITAL IMPROVEMENT PROGRAM – Request for approval of the 2018-2022 Capital Improvement Program – was made by Ramsey; seconded by Pateidl. Motion carried with a unanimous vote of 5-0. For: Levitan, Pateidl, Ramsey, Coleman, and Block.

CASE 13-17 – JOHNSON COUNTY WASTEWATER TREATMENT FACILITY EXPANSION – Request for approval of a Special Use Permit for a Public Utility Facility/Wastewater Treatment Plant, Preliminary Plan, and Preliminary Plat, located south of I-435 and east of Mission Road. **PUBLIC HEARING**

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 13-17 – Johnson County Wastewater Treatment Facility. It is for a Special Use Permit for a Public Utility Facility/Wastewater Treatment Plant, Preliminary Plan, and Preliminary Plat. This site is existing and is located south of I-435 and east of Mission Road. The site is about 47.39 acres. Currently, there are 8 building and 14 structures such as clarifiers, digesters, and other structures associated with a wastewater treatment plant. They also have a lagoon. Proposed to remain are two buildings, one located at the north, adjacent to Lee Boulevard, and one located to the south. They will also have four digesters to the south with the southern building. The Floor Area Ratio of all the buildings at completion will be 105,484 square feet and will include 16 buildings and 24 structures such as tanks, basins, clarifiers, digesters. The size of the buildings will range from 200 square feet to 22,372 square feet. The structures will range from 682 square feet to 76,179 square feet. The lagoon is currently located at the southeast quadrant of the site and will be replaced with a smaller concrete lime basin. Parking is proposed adjacent to the administrative building, which is located on the northwest portion of the site. It will have 53 parking spaces available. There will be two other parking spaces available at the solids processing plant for workers who will spend most of their time there. The applicant is requesting a deviation to a side yard setback for an existing building on the east side. The setback required for Agriculture is 50 feet; they want a setback of about 45 feet. In addition, some of the buildings are taller than 35 feet, which is the height limitation for Agriculture; however, per the LDO, Public Uses, as long as they provide an additional foot of setback for every foot they exceed the height limitation, they can exceed the height up to a maximum of 75 feet. The highest building is about 50-55 feet. In addition to that, if they happen to be located next to residential, they would have to provide an additional 3 feet of setback for every foot over the height limitation. In this case, that does not come into play. I have some pictures to clarify

(Shows pictures on the overhead). The site is located on the south side of I-435 and Mission Road. The site is primarily in the floodplain. As part of the project, they will bring up the site out of the floodplain in some areas by increasing the elevation by about 12 feet. The site will have an additional 14 buildings and 19 new structures. Staff is recommending approval of this application, and I would be happy to answer any questions.

Chairman Elkins: Questions for Mr. Klein? Seeing none, I understand the county might wish to make comment with respect to this project. Please step forward and state your name, affiliation, and business address for our record.

Applicant Presentation:

Tammy Lorenzen, Managing Engineer for Treatment, Johnson County Wastewater, appeared before the Planning Commission and made the following comments:

Ms. Lorenzen: Mr. Klein did a great job, so I will simplify my presentation. There are two main drivers for this project. One is regulatory, and one is economic. The Kansas Department of Health and Environment regulates all wastewater treatment facilities in the State of Kansas. They have new environmental regulations they have placed upon our facility, and the main treatment technology at this site is from the 1960s and simply cannot meet those new regulations. Improvements are needed to meet the higher water quality requirements from the state. The economical reason is the facility currently only treats approximately 40% of the flow that comes to the site. The remaining 60% of the flow is directed downstream to Kansas City, MO, for treatment at one of their facilities. We pay for that service. In the last year, we paid around \$13 million to Kansas City, MO for that. As you probably are aware, with their long-term control plan and Consent Decree, the cost for that is estimated in the \$4-\$5 billion range. We have projections of long-term cost increase from them. We looked at a number of different alternatives and found that the most long-term cost-effective alternative for the Johnson County users is to expand this facility to treat all of the flow and to stop sending flow to Kansas City, MO.

(Shows a rendering of the plan) As Mr. Klein commented, there is a structure and complex remaining. Everything else is changing or being completely redone on the site. We are going with a compact footprint so we can maximize and keep as much of the existing natural screening. The revised lagoon is shown with water in it, but it will only hold water during large storm events. It will be directed back into the treatment process, and it will be cleaned out and kept dry. We've had several meetings with various members of city staff, and we have also had a meeting with elected officials for Leawood. We have had two public meetings. One was the Interact Meeting. We had four attendees, including one City Councilmember and three property owners. I have summarized the comment card comments we received at the meeting. One came from a resident who had some odors in the house. I have a gentleman who is going to work with that homeowner to identify the source of the odor and come up with a solution to address that. Another comment was the trail we propose to temporarily close the trail between Mission and the City Park during construction because of concerns of a lot of construction traffic that may be in the area and the safety of pedestrians. We talked about that with the Parks and Recreation department, and they approved it. One of the detours

of that trail would be the existing eastern loop that connects City Park with College. One of the residents made a comment about concerns about the trail not being lit. We passed that on to the planning department. There was another comment on odor and if the increased capacity would cause additional odor. It is a proportional type of issue. The technology we are proposing is the latest proven technology, so it is treating it to a much higher level than what is currently there. When we did the study, we identified areas of odor concern and the processes that would generate odors. In the design, we're incorporating odor-control facilities to capture and treat the foul air so that it is not a concern to the neighboring residents. We had a nice comment thanking us for having the meeting and the level of effort we put into it. With that, I will stand for questions.

Chairman Elkins: Thank you. Questions?

Comm. Ramsey: You anticipate no odor from the plant?

Ms. Lorenzen: We anticipate there will be no additional odor. I think a lot of the current odor sources are going to be addressed during this project. Right now, the main treatment component is trickling filters, which do not remove ammonia. You can walk through the site and get an ammonia smell. The new treatment facility has a very stringent ammonia limit for a regulation. That is going to be treated to a much higher level than what the current facility can.

Comm. Ramsey: Are you anticipating covering the trickling filters?

Ms. Lorenzen: They are being eliminated.

Comm. Ramsey: What about solid management plan? How are you dealing with that?

Ms. Lorenzen: The solids are being captured. That is part of the complex that is staying. All the solids facilities have odor control on them because we recognize solids handling is generally a source of odor. We have two different buildings that deal with solids, and we have exhaust fans that pull that odorous air and run it through a system to capture the odors in the air.

Comm. Ramsey: What is the water extraction method? Are you using a centrifuge?

Ms. Lorenzen: Yes, we are using centrifuges for the de-watering part. Then, those solids will be hauled offsite and will be beneficially used on agricultural land.

Comm. Coleman: How many wastewater treatment facilities are there in Johnson County?

Ms. Lorenzen: There are six treatment facilities.

Comm. Coleman: Where are they located?

Ms. Lorenzen: We have one just upstream on Indian Creek in Overland Park near Highway 69 and College Boulevard. We have another one south of the border between Overland Park and Leawood at 151st and Kenneth Road. We have a facility in Mission. It is one of our oldest facilities. It is near I-35 and Lamar. There is a facility in Shawnee that is off I-435 going north near Holiday Drive near the waste management landfill. There is a small facility in Gardner at the New Century Air Center.

Comm. Coleman: Are any of the other facilities being expanded?

Ms. Lorenzen: We try to balance our CIP just like Leawood staff does. We have done a number of improvements, and we are constantly doing improvements at our facilities. This is the big one being done now. We have done a series of improvements. There is one in construction in Blue River. There are almost always improvements going at our various facilities.

Comm. Coleman: This one appears to be major.

Ms. Lorenzen: This is the largest project that we have done.

Comm. Coleman: Was this facility picked because of the treatment we are sending to KC, MO?

Ms. Lorenzen: This one has been studied for at least ten years, partly because we knew there would be regulations coming. It is just recently that we have had more environmental pressure. I talked about the ammonia. Phosphorous is another component we have really been hit with. It has been an ongoing process. Kansas City, MO is a big component, and we had to give them the time to figure out a plan, go through the Consent Decree, get a budget and long-term capital plan for that so they would have an idea of the revenue and rate impact.

Comm. Coleman: Are the stringent regulations coming from the State of Kansas only or also from the EPA?

Ms. Lorenzen: The EPA is ultimately the one who is responsible for implementing the Clean Water Act from the 1970s, which is really what all this stems from. It is all implemented through the local and state agencies. For us, it is Kansas Department of Health and Environment.

Comm. Block: In the packet, it talks about expanding dry weather treatment capacity to eliminate flow to KC, MO. Will there never be a flow again to KC, MO, even in wet conditions?

Ms. Lorenzen: We have a certain level of service for all the sewers that come to the facility, and our level of service is up to a 10-year storm event. This facility is being upgraded to handle all of that corresponding wet weather event. If we had an event larger than that, it probably would overwhelm the collections system to start with. There would

probably be an issue with it even getting to the facility. We are keeping an ability in the future to send flow if, for some reason, we had to do something major in the future and had to work with them to have a temporary solution. The intent is to cease sending it.

Comm. Block: With this excess flow holding basin, I didn't see any comments about the odor that might come from that. That is raw sewage in a big pit, right?

Ms. Lorenzen: By the time it gets to that facility, typically, it is very diluted flow. A lot of the storms we get in this area are very flashy. They hit quickly and recede quickly. The intent is the flow would not be in there very long. We would redirect it through the facility, and then we have water cannons we will use to do a heavy wash-down of that with the concrete line to get it cleaned out so it is not a concern.

Comm. Pateidl: To follow up on that last comment, one observation I had is that odor is obviously a big concern to the residents. On that dry basin, when there is an event, it would be cycled through the facility at a low flow or when low flow is available. Can you give us some idea of the life cycle of that? Are we talking two days? Two weeks? What kind of time frame? Second to that, the biggest issue would be if there is a flood that goes through there. Has the study been made of the weather patterns over the past to identify roughly what you anticipate in terms of an event at the plant?

Ms. Lorenzen: We haven't studied so much meteorological data, but we have studied our historic flow data. Using that information, we have estimated that we could activate that wet weather peak holding basin very infrequently. For example, there is a peak wet weather treatment component that is in the facility that is part of the treatment process. We anticipate we will activate that in the 4-6 times a year range. Only when that is exceeded will we send flow to that basin. Based on the historical 5-10-year data we look at, it will be infrequent that flow goes to that peak holding basin.

Comm. Pateidl: The life cycle of the basin?

Ms. Lorenzen: I don't think we've estimated to that level because some of it depends on if we're getting back-to-back-to-back cycle of storms. I anticipate it will be a relatively short amount of time. It could probably be a week or less. We have water cannons, so if we have concerns, we could add some fresh water to it to keep it oxygenated and fresh.

Comm. Pateidl: If you do have an extended problem, you have an opportunity to mediate the odor.

Ms. Lorenzen: We do, yes.

Comm. Levitan: How is the view corridor from 435 changing as a result of the expansion?

Ms. Lorenzen: I didn't bring that with me, but I can send it. The renderings you saw came from a 3-D model that we created. We have a flyover we have done that I can

provide to the city and they can provide to you. Most of the new facilities are actually pulled back a little bit with that flood channel that Mr. Klein was talking about. There will be vegetation in there, and we will work with the city on the landscaping. There will be a buffer between that road and the view from there and the actual facility.

Chairman Elkins: I have a couple questions. What is the total ballpark expected cost of the project?

Ms. Lorenzen: To date, the estimate in 2015 dollars is \$280 million. That includes engineering fees.

Chairman Elkins: When do you expect to begin construction?

Ms. Lorenzen: We anticipate beginning in 2018. It could be as early as the beginning of the second quarter, or it could be in the summer. We currently anticipate 3 ½ years for construction. It will be in operation by the end of 2021.

Chairman Elkins: I understand that there will be a relatively small time period when Lee Boulevard will be blocked completely. I understand it is approximately four months.

Ms. Lorenzen: Correct. As Mr. Klein alluded, the entire site is within a floodplain, including our access off Lee Boulevard into the facility. Part of the project will be raising a portion of Lee Boulevard so our staff can safely enter and exit the facility, even during a flood event. During that point, we will need to close to do that. There very well may be construction damage on that portion of Lee Boulevard, and so we would do a mill and overlay then.

Chairman Elkins: And do you have a ballpark idea when you would expect this? This closure will be continuous, right?

Ms. Lorenzen: We have not completely worked that out. It's not a very wide road, as you know. We are very sensitive to the fact that definitely events that the city hosts, like the 4th of July fireworks, and we need to work around that. At this point, we are tentatively planning to do that at the end of the project. It could potentially be in the end of 2021 after the athletic leagues are done in the park. That is something we can work through as we finalize the plan.

Chairman Elkins: I think it will also have an impact on the Mission Woods business owners. I would encourage the county to give as much advance notice as possible. I'm sure it's obvious, but I would be remiss if I didn't suggest to you that you give a lot of advance notice. I think it does carry a fair amount of traffic. It's one of the few ways to get across Indian Creek, frankly. That is a concern with a number of citizens I've talked to about the impending construction project. They're all relieved it is only four months. There are rumors out there it might be for a year or two.

When flow is directed currently from here to Kansas City, MO, how does that happen? Is there a huge line it goes through?

Ms. Lorenzen: There are two large sewers that come to the site. Then they are joined into an even larger sewer. Then there is basically a diversion structure where, as flow gets up to a certain point, it flows over a weir, and then a very large interceptor continues on from that point.

Chairman Elkins: I know this is repetitive, but you indicated that this project will completely eliminate our reliance on KC, MO?

Ms. Lorenzen: It will for this facility. There are several different sites where the sewers naturally drain into Kansas City, MO. We are looking, where it makes sense, to redirect that flow to Tomahawk as well. That is separate from this application.

Chairman Elkins: Given current growth patterns and current demographics and whatnot, what is the estimate as to how long this facility will provide adequate capacity before we have to figure out what the next expansion might be?

Ms. Lorenzen: We designed the capacity for the ultimate buildout of the sewer sheds that are tributary to it. The Indian Creek portion that comes to the facility is already built out. Then we looked at Tomahawk Creek, and the majority is in Leawood. We looked at what areas could still be developed and what the current plan development was for that. Then we came up with what the total ultimate flow would be. That is how we sized this facility. The intent is we would never have to do an expansion and provide additional flow capacity in the future.

Chairman Elkins: Thank you. Any additional questions? Thank you. Under our processes, we give the public an opportunity to be heard, and then if necessary and appropriate, we will ask you to come back to address questions raised by the citizenry. Thank you. As Mr. Klein noted, because this is a request for a Special Use Permit, a Public Hearing is in order.

Public Hearing

Kenene Dorian, 11017 Buena Vista, appeared before the Planning Commission and made the following comments:

Ms. Dorian: I have resided at 11017 Buena Vista for 35 years. I am also a real estate agent for 30 years throughout this area. I was one of the three residents that came to the Aloft and listened to the presentation. When we built our home in '81-'82, the sewage plant was to close in '85-'87. At the Interact Meeting, I understood that the sewage comes from Olathe, Overland Park, Prairie Village, and Leawood into this facility. I have been very involved with a lot of the development in Leawood. Mission Road and College Boulevard ended at my street. We had a stable at the end. This was in a 500-year floodplain. We are now in a 100-year floodplain, and that is due to the development in Olathe. This was built in the 1950s. We've made our investment of property surrounding it. I'm with the company that was involved in the development of Hallbrook. The lots that are closest to College Boulevard had to make other arrangements to control the odor.

I am also the person who complained about odor, and they're saying it was in my house, but it's in the air. You get that smell as soon as you go off State Lane and start going west on College Boulevard. It's so strong, it permeates our houses. I called the EPA multiple times regarding this. They dredged it. They ejected the sledge into the soil. My other concern on this when I met with them was that they said we don't have to worry about flooding because they are shrinking this lagoon and are lipping it with concrete, but they are also raising it. I heard Tammy say now that they are going to raise Lee Boulevard because of any possible flooding issues. That creek comes very strong behind my subdivision along the forest. It goes all the way over. Then, I was thinking that this has been here since the 1950s. We didn't have all these apartments. We have multiple residential villas. We have a high density of toilets flushing and all that. We have apartments. My real estate company is in Mission Farms. There are so many vacancies right now at the apartment complex, but when that is full, especially when the hospital clinic is in place, there will be a hotel. There will be more apartments closer to the Sutherland property on Mission Road. All these toilets will be flushing. I question if this is going to satisfy this need. For the last 35 years I have been here, 40% has been treated here; 60% has been treated in Kansas City, MO, which goes into the Little Blue River. With all the development that is still left to go, I'm wondering why the developers weren't charged for any of these costs. Our rates are going to go up 5%-6% due to usage. The cost of the expansion is \$280 million, which is \$73 million over 25 years. This computes to \$2.92 million that we will have. Just let Kansas City, MO treat it. Tell Olathe we have a huge plant that butts into a subdivision at 159th and Nall called Waterside. That was developed by Mark Simpson and Saul Ellis. I have shown property in there. That sewage plant butts up to that subdivision, and they are trying to get \$600,000 for those houses. It's a hard sell. So then I say, "Okay, we've made our investment of residential property surrounding this area. It is going to financially retard our property." You've got the expansion of double the size of what it is. I approached them at that meeting and asked why they don't just move this farther east and put it on the State Line Corridor. The response was that it is owned by the Hall family and it is very expensive. Well, it can very easily be hidden because of the terrain. It is closer to getting it over to the Little Blue River. That satisfies the problems Hallbrook has with the odors. Now, we have a visual. We're talking about the vegetation that is around. Along that creek bed, all the really good vegetation is on the east side. Those buildings are moving all the way on that property. We have a small spectrum of what is between the creek and Mission Road. It doesn't feel feasible to me. As a real estate agent, I watched Shannon Valley and Indian Creek Estates suffer because of the water treatment plant at College Boulevard and 69. The odor was horrendous. When I asked them at the meeting about the odor, they can't guarantee it. It won't be any more than what we have now. There is no way they can eliminate it by 100%. They are going to have bigger channels and deduct more waste. That, in turn, goes into the creek. The numbers don't mesh. Why are we processing Olathe's sewage when they could process it at 151st and Kenneth Road? Split up Overland Park and make some of what we're getting in Leawood and make it go to 69 and College Boulevard and get the rest go out there. Let Leawood and Prairie Village be processed at this point. Those are the questions that make you wonder what's the point it. There is no guarantee that is going to be large enough for the construction that is yet to come on board here. I'm just asking for due diligence, investigation, and feasibility. I

know they went to Colorado and looked at their sewage plant. We're not Colorado. We are a bedroom community that has commercial properties that we can support with what we have. We don't need to Olathe's sewage. Hearing them talk about the two pipes, some of them automatically go to Missouri to be processed. There are a lot of questions. To me, there is no solid information that makes me think I can back this or that our properties won't be affected. So Lee Boulevard is going to be raised, and we've got Leawood Estates that is sitting there. Construction never goes as planned. It is always prolonged. I don't see four months here. You've got to raise it. You've got to block people from being able to utilize the park. We spent a fortune on the dog park. I can't even tell you how many people I know in from my subdivision who take their dogs there. We're aborting all that. It's going to end up in Little Blue on the Missouri side, so let's tend to it now and move it to the property closest to State Line if that's the feasibility. Joyce Hall donated all that park land to Leawood, and that section is going to be commercial. We've got commercial from College Boulevard all the way to 119th Street. Certainly, the Hall family would be satisfied with market value, and that would be money well spent.

Chairman Elkins: Thank you. Are there other comments from the public? Seeing none, I would entertain a motion.

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

Chairman Elkins: Ms. Lorenzen, do you care to be heard in response to the comments?

Ms. Lorenzen: I'd be happy to respond to any of them you would like me to address. I did speak with Ms. Dorian at the meeting. I can't speak to the original comment about what she may have been told when she bought her house. I don't know what was said at that point. I will address the flooding concerns. We have a detailed model of the floodplain, and the overflow channel is going to be built. We are bringing in fill to raise the site to get our facilities out of the floodplain. At the same time, we are also managing that by taking the additional volume out for the overflow channel to balance that. We actually have a hydraulic model that demonstrates we will not have either a complete no rise during construction, or a minimal no rise, that we have been talking to about staff about to determine where that exact impact would be and if it's acceptable to the city and any property owners that would be impacted.

Chairman Elkins: Thank you. That takes us to general discussion of the case. I would open the floor for comments or criticisms. Seeing none, I would entertain a motion.

A motion to recommend approval of CASE 13-17 – JOHNSON COUNTY WASTEWATER TREATMENT FACILITY EXPANSION – Request for approval of a Special Use Permit for a Public Utility Facility/Wastewater Treatment Plan, Preliminary Plan, and Preliminary Plat, located south of I-435 and east of Mission Road – with 20 Staff Stipulations – was made by Ramsey; seconded by Pateidl.

Motion carried with a unanimous vote of 5-0. For: Levitan, Pateidl, Ramsey, Coleman, and Block.

Chairman Elkins: Our thanks to the county and to Ms. Dorian for her comments on this important case.

CASE 31-17 – BROOKWOOD ELEMENTARY SCHOOL – Request for approval of a Zoning to R-1 (Planned Single Family Low Density Residential District), Special Use Permit for a Public Elementary School, Preliminary Plan and Preliminary Plat, located at 3411 W. 103rd Street. **PUBLIC HEARING**

Staff Presentation:

Assistant Director Mark Klein made the following comments:

Mr. Klein: This is Case 31-17 – Brookwood Elementary School. The applicant is requesting approval of a Rezoning to R-1. That matches what is shown on the current zoning map. It is just a confirmation of the existing zoning. They are also requesting a Special Use Permit for a Public Elementary School, Preliminary Plan, and Preliminary Plat. The site is about 9.53 acres. An elementary school has existed on the site since the early '60s. The existing school is 56,168 square feet, and the proposed school is proposed to be 75,045 square feet for an increase of 18,877 square feet. It will also have a second story. The proposed height of the building is about 37 feet; however, there are rooftop utility screens that will exceed that. The building setback on the east property line is 72 feet; the west property line, 155 feet; the south property line, 185 feet. Current enrollment is 370 students. The proposed capacity is 550 students. Currently, there is pedestrian access from 103rd Street, but there is also pedestrian access from Wenonga from the east and also from 103rd Terrace to the south. Vehicular access to the school will be provided on both the east and west side of the school. On the east side of the school, there will be a school bus drop-off and pick-up. There will also be some staff parking on that side. On the west side of the school will be a parent drop-off for the kids. It will have about 66 cars that can queue up in that area. Currently, from the traffic study, about 19 cars can currently queue up. Visitor parking spaces are provided. There are about 61 employee spaces in the employee parking area on the east and south side. There are 29 visitor parking spaces on the west side. They also plan to reconfigure the playground on the south side. There will be two hard surface playgrounds and then also a new soft area playground, as well as a 6' asphalt walking trail. There is also a detention basin that will be about 7 feet in depth located at the southwest corner of the property. There will be a swale along the west property line to direct water to that detention basin. With regard to the playground, it will also have a 6' chain link vinyl fence that will go around it to provide security for the playground. (*Shows plan on overhead*) The pedestrian access on Wenonga is existing and they plan to maintain it. The school has a parking lot that runs along the front of the school building, and there is also parking on the east side of the building. The currently proposed plan has vehicular access from the existing driveways. On the east side is the bus drop-off. The vehicular drop-off allows two lines of cars. The fence will go along the perimeter to provide some security of the playground. Staff is recommending approval of this application, and I'll be happy to answer any questions.

Chairman Elkins: Thank you. Questions for Mr. Klein?

Comm. Pateidl: One of the comments I read in the Interact Meeting notes was a question as to whether or not the walking trails that currently exist through the school and playground area would continue to exist. The answer is that they would. There was no mention inside the documents that I read about a fence. Will that fence conflict with the walking trails?

Mr. Klein: The school might be a better one to answer that, but my understanding is the gates will be secured during certain hours but then opened up to allow the public through.

Comm. Pateidl: The second question that is a public safety issue is a dry detention pond that will establish on this property. It could reach a depth of 6 feet until it drains away. That pond is directly adjacent to the play area and the walking trails. Is there fencing or protection that would enhance the safety of children? I have no idea how long it would take for it to drain after a hard rain or if the draining creates another issue. I'm curious about the safety issue of the pond in relation to the playground.

Mr. Klein: Currently, I don't believe a fence is proposed around that. Usually with the detention and retention basins, we work with the applicant to ensure that the slopes are such that somebody has the ability to walk out. In cases where it may be steeper, we have required a ledge so a person could climb up and get out that way. We could definitely look at that at the time of Final Plan.

Comm. Pateidl: I'm thinking of children getting into the mud. At least that is a concern on my part. I'll discuss it further with the school.

Comm. Block: I thought I read a request to move the sidewalk along 103rd Street in 5 feet, but the rendering doesn't show that, and it's not in the stipulations.

Mr. Ley: It is in the Public Works stipulation. It will be discussed with City Council.

Chairman Elkins: Additional questions for Mr. Klein? I would invite the school district to step forward if they have comments.

Applicant Presentation:

Brian Hill, MKEC Engineering, 11827 W. 112th Street, Overland Park and Jennifer Burka, Hollis and Miller Architects, 1828 Walnut Street, Kansas City, MO appeared before the Planning Commission and made the following comments:

Mr. Hill: Thank you for your consideration of the elementary school. The school district is excited to proceed with the replacement of Brookwood Elementary. Jennifer and I would both be happy to entertain any questions. I am more on the engineering side, and Jennifer is on the architectural side.

Chairman Elkins: Thank you. I'll start with Commissioner Pateidl.

Comm. Pateidl: Would you care to address my concern about the safety issue of the detention pond next to the playground?

Mr. Hill: That is a dry detention facility that will have water in it for less than 24 hours. It is our intent to place a fence around the facility for those times as well as just for regular playground activity.

Comm. Pateidl: Thank you.

Comm. Coleman: Jumping on that interest that the walking trails are open during non-school times. I just went to Briarwood Elementary, and I wanted to see the new school and see what the land would look like. I assume your facility will be based on that kind of design, especially with the fence around the playground. What is the intent of the fence during the day in terms of the entries? Is it locked, or is it just shut? Can you explain a little bit more of that? Also, once the kids are gone, what is the access for the public?

Mr. Hill: The intent is that the playground area on the south side of the site would be completely fenced. Those gates would be locked during school hours as the kids are on the playground. After school hours and evenings, the district is supportive of patrons using those walking trails similar to Briarwood. The intent is similar to other schools that they would have those open after school hours for patrons to utilize the walking trail. In this case, we have two accesses from the site from the neighborhood. Folks in the neighborhood could use those trails after hours.

Comm. Coleman: How many entrances are there from the neighborhoods? I see one from Leawood Estates that would be open during non-school times. Is it physically locked with a padlock during the day?

Mr. Hill: I believe so.

Comm. Coleman: You have one entrance there, and the other entrance would come from the parking lot?

Mr. Hill: *(Referring to Site Plan and points out entrances, proposed fence and gates)* The pedestrian access from Leawood Estates comes from the south. The existing trail provides access to the loop on the playground.

Comm. Coleman: There are only two entrances to the playground? Is there anything on the west side?

Mr. Hill: There is currently no pedestrian access now from the west side from Leawood Estates.

Comm. Coleman: To get to the playground and the walking trail is only one where the south parking is?

Mr. Hill: From the north, yes.

Comm. Coleman: From the south is the walkway through Leawood Estates.

Mr. Hill: Correct.

Comm. Coleman: Is that a policy that Shawnee Mission School District has to allow access to all the playgrounds during non-school times?

Mr. Hill: Yes, to our knowledge.

Comm. Coleman: I didn't check with Briarwood. To be honest, it looked like a prison yard with everything locked. I'm not used to seeing school playgrounds completely fenced in, except in urban settings. It was kind of a shock to see it.

Mr. Hill: The district is going that direction with the playgrounds to ensure the safety of the kids during the day.

Comm. Block: With regard to safety of the children inside the school, are there newer or advanced protocols built into this with the entry and exits?

Mr. Hill: Yes, and Jennifer could address this more. We have the secure-entry vestibule in the building. As you walk to the door, you'll be buzzed in. The person will have to go through the office in order to get in the building. It is definitely the latest in building security as well.

Ms. Burka: There are other protocols the school is working with on their security measures as far as safety of children within the classrooms, line of sight and how to address and active shooter situation and keep their kids safe. They run those drills, and we are in constant communication with them of how they want that to be addressed in the design of the school itself.

Comm. Block: Nothing is reinforced or done differently?

Ms. Burka: There is security film at the entry on the main glass pieces of the entry vestibule. On the bus entry side, additional film will be on the windows for added protection. As Brian said, people are buzzed into the school. It is not something that is just open for someone to easily walk into.

Comm. Coleman: I have one other question about the traffic flow. I'm very well versed in elementary school traffic flows now. Coming off 103rd Street, did I read correctly that everyone exiting has to turn right to go east?

Ms. Burka: That is correct.

Comm. Coleman: Could a person make a left-hand turn from 103rd Street to get into the drop-off?

Ms. Burka: Yes.

Comm. Coleman: My elementary school outlaws certain ways to get in. We are not allowed to cross traffic.

Ms. Burka: That is part of the goal with this. It will funnel the traffic, and ideally, we are trying to get the car queuing on the site versus on 103rd. It provides a safe opportunity for both parents and students. This school has a lot of pedestrian walk, so a lot of parents and children walk to the school. In doing so, with the right turn only, we don't want someone to get hit in that second bypass lane.

Comm. Coleman: I'm a little concerned about people making a left-hand turn going west on 103rd into the school main drop-off. If I remember correctly, is 103rd a five-lane road?

Mr. Hill: It is currently four lanes.

Comm. Coleman: It will be blocking one lane of traffic.

Ms. Burka: It is a double entry, so ideally, the school would create a process for cars coming eastbound on 103rd to turn into the first lane and cars coming westbound to turn into the secondary lane.

Comm. Coleman: Traffic is going to back up on 103rd.

Ms. Burka: There will be some. I compliment the school. They have quite a process with that, and it is a 10-15-minute event. Then it is clear.

Comm. Coleman: They would have to do that now, I assume.

Ms. Burka: Absolutely; they don't have the queuing space currently.

Mr. Ley: Staff will work with the school district once they get opened to look at how the traffic flows. If it becomes an issue for that westbound left, we can restrict it during certain hours.

Mr. Hill: The plan provides a significant improvement from what is there now. Now, only 19 cars can be on the site, and the plan allows for 66 cars. This is about how many they have for drop-off and pickup currently.

Comm. Levitan: Regarding the circulation and drop-off at the main entry, it looks like it's a little bit of shooting the gauntlet here. I know when I drop my kids off every

morning, it gets a little chaotic, and we only have one row of queuing. What is the intent on that left-hand lane? Is the idea to merge, or are kids getting out of that left-hand lane car and crossing the first row of cars?

Mr. Hill: Prior to drop-off, the cars would merge into a single lane for drop-off. No children would exit a car from the left lane of that configuration.

Comm. Levitan: It's a forced merge to get to one lane, and that's where they drop them off.

Mr. Hill: Yes, there is a double stack, and at the front door, there is a single lane of cars.

Comm. Levitan: I could envision a scenario where parents are eager to drop kids off quickly and kids getting out of that left-hand lane and crossing over the right. I've never seen a double stack like this before. That would be a slight concern for me.

Mr. Hill: Right now, with their limited space, they do a very good job of patrolling that drop-off. They are very keen on where kids are and how they are being let into cars. Safety is paramount.

Mr. Ley: That is done at my son's middle school at Aubrey Bend, and it works well. There is a sign that says that every other car needs to yield. Everyone does that, too, so it works out very well.

Comm. Levitan: I'm good with that.

Comm. Coleman: Mission Trail has the same thing. They have a double stack, and I've yet to see any accidents or fights.

Chairman Elkins: Other questions for the applicant? I've got just a couple. You may not be in a position to answer, but I find it interesting that the capacity of the school is expanding from 370 to 550. Is that a function of a demographic change in the neighborhood, or are the service areas for the school being redrawn as a result of this construction?

Ms. Burka: As it currently stands, there is no plan for a boundary redraw with the school. They are taking this as an opportunity as a new school that would be able to accommodate any new population.

Chairman Elkins: It is an expectation of additional need.

Ms. Burka: They see the neighborhood changing to younger couples and more kids that they foresee coming to the school.

Mr. Hill: There are no plans for student increase from the start.

Chairman Elkins: Thank you. What is the expected construction period?

Ms. Burka: Demolition would begin late this summer with construction beginning September, 2017. It would be an 18-month construction schedule, looking at early spring 2019 to open.

Chairman Elkins: What is the plan for those children during the construction period?

Ms. Burka: Currently, Indian Creek is being renovated, and they will house those students during the construction time.

Chairman Elkins: Same staff and everything?

Ms. Burka: The whole staff will move for the temporary location.

Chairman Elkins: Thank you. Are there other questions? Then, because this is a Special Use Permit and the Rezoning, we will have a Public Hearing. We generally accord speakers four minutes. We welcome your comments but ask that they not be duplicative. We'll go in a regular order.

Public Hearing

Karen and Ned Smith, 10325 Mohawk Road, appeared before the Planning Commission and made the following comments:

Mrs. Smith: We are the very last block, which would be on Brookwood's southwest side. We built the house 49 years ago. We have been there forever. When we built it, the school was already built and already had changed the terrain of the land. As our lawyers told us, we have to tell this. We've had a flood in our basement at least 12 times. We've put in about \$10,000+ with double sump pumps. The spare one is waiting. It's all from the change of terrain where they built the higher hard-surface playground for the kids. Our kids went there. It's a wonderful school, but there is no drain along that east side. I had a two-hour meeting. It wasn't with the Public Works guys who are here tonight. It was with another gentleman, and we shared our concerns about the flooding. He claimed there is supposed to be a drain. We have never seen a drain. Our yard puddles. My husband started to put a Japanese garden in to direct the water. Now, they are building houses on that last lot. I contacted Public Works, the realtor at the time, and the people who owned the land, and nobody remembers those calls. Isn't that amazing? A couple weeks ago, I met with Public Works for two hours. He showed me all the blueprints and where the water pipe comes kitty-corner across the school playground. Then, there is a drain pipe going down the east side of the new construction of that big house. Supposedly, there is supposed to be a drain, but we still have no drain. Now, they are changing the terrain of the land. He said it's the same. Well, horses have been there for 37 years. They never jumped big mounds. I know they're doing that for privacy. If I had that much money to build that much house, I'd probably want privacy, too. They've got them all along Mission Road. The water overflow goes into the road. Because there is no drain along that side down to that pond, it is going to go in our basement on the other

side. They need to either change the drainage, or they can pay to put the next sump pumps in. Public Works told me the terrain of the land hasn't been changed. Last winter, no, but two winters before, they kept mounding dirt. If you look level at the 5' fence, it is 4 feet above that. The water flow has to go somewhere, and it's going to be in our basement. I haven't heard anybody up the street have that problem. If there is a drain, it's been buried, and grass has grown over it. Now, if they're going to have a standing pond of water, I think the drainage is a major issue with the school and the new house that's being built. We're in the corner and sunk. Thank you for your time.

Chairman Elkins: Thank you. Other who wish to be heard?

Jim Brazell, 10317 Mohawk Road, appeared before the Planning Commission and made the following comments:

Mr. Brazell: I live on the west side of the school about the middle of the block. My house is south of the end of the building and barely south of the end of the parking lot on the west side. To be honest with you, I would like to see all that traffic that is going to come to the west side of the school be put on the east side of the school because the east side of the school already has a parking lot. It already has the drives. The people that have their homes over there bought their homes with a parking lot, with the drives. The terrain on that side is level. They don't look up to the school. Our side of the school looks up to the school about 15 feet. The parking lot will be set back, of course, but it will start out 15 feet above our back yard. The lights are going to be coming toward us all the time. That is my concern. Maybe it's too late to change this plan, but we didn't ever see the plan until about 1-2 months ago when they had the meeting at the school. We didn't really know what was going on. We just had to kind of look at it right there and shoot from the hip to know what's going on. The school website doesn't have any information at all on it. They told me it would. You can check it right now, and it still doesn't have it on there. That's how I feel about it. I have a couple questions. I don't know if it's the right time to ask them or not. Is there a zoning change that they're doing now, or are they continuing the current zoning?

Mr. Klein: There is no change.

Mr. Brazell: When they remove the fence at the back of my yard, they're going to put up a 6' vinyl coated fence. What does that look like, and how can I find out? That is a major feature in my back yard.

Chairman Elkins: I have a couple suggestions. You might check with staff. In addition, you might make contact with the individuals representing the school district tonight to see if you can arrange for an opportunity to get more insight as to what the fence is like.

Mr. Brazell: Will there be any additional uses of the playground when this is all done? Now, they use it occasionally for soccer practice.

Chairman Elkins: We'll raise that question to the applicant when they come back.

Mr. Brazell: The east parking lot is for staff parking. On the west side of that, is there any sort of screening?

Chairman Elkins: We'll raise that with the applicant as well.

Mr. Brazell: Is there any requirement for lights from cars shining into someone's yard in the zoning?

Chairman Elkins: Our zoning ordinance has limitation on ambient light that can be at the perimeter of the property. I don't know that there are specifics with respect to car lights.

Mr. Brazell: We're going to have a parking lot 15 feet above my back yard at the corner of my lot. It's a concern.

Mr. Klein: Landscaping is done at the time of Final Plan, but we do try to look at headlights in a parking lot. We would typically try landscaping or a berm.

Mr. Brazell: You talked about increased capacity of the school. There are a few new houses being built, but I don't know that we need to even be that big of a school. I think they increased it by how many people?

Mr. Klein: It will increase from 370 to 550, I believe. The square footage increase is a little over 18,000 square feet.

Mr. Brazell: I was thinking if we had a smaller school, we wouldn't have to have such disruption in the neighborhood. I don't know that we really need that big a school.

Chairman Elkins: Again, we've asked the school district, and they have done their projections. I'm not sure I'm in a position to challenge that.

Mr. Brazell: There are only so many new houses coming in. It is all built out. That's all I have. Thank you.

Chairman Elkins: Thank you. We will address some of those comments and questions. Does anyone else wish to speak?

Charles Hammond, 10321 Mohawk Road, appeared before the Planning Commission and made the following comments:

Mr. Hammond: I'm between the Smiths and the Brazells. It is a pleasure to be here. I asked the architects about this, and they gave me a resounding, "Absolutely not," but I thought I'd bring it up anyway. Why can't we structure some of the parking to be off the street instead of routing it through all these houses with all the problems you've heard about? If they were to move the building back, they said it would cost an awful lot of money. I don't know how much that is, but it seems they could put the parking in front,

perhaps, and not disrupt anybody or certainly cut that down a great deal. Another point I would really like to have someone tell me about is the traffic situation from a different perspective. That perspective is how much stacking is going on, on 103rd Street already? Frankly, I come in and out of there all the time, as just about everybody on that cul-de-sac does, and there really does not seem to be that much of a problem. We're trying to shift the problem of taking it off the street and putting it in everybody else's back yard. I don't like that very much. I think there ought to be some alternatives. Once again, one of the alternatives I raised with them was to do something by putting the parking in front of the building and maybe even moving the building back farther. It may be a different design. Once again, we're talking about double stacking. How many cars do you anticipate being in that stack at one time?

Mr. Klein: 66.

Mr. Hammond: Have you done traffic studies as to how many are parked on 103rd Street before they come in?

Mr. Klein: I believe the applicant has, and they could probably speak to that.

Mr. Hammond: I'd like to have them do that, then.

Chairman Elkins: We'll do that when they step back to the podium.

Mr. Hammond: Fair enough. Those are the basic concerns. I think you're trying to solve a traffic problem that maybe doesn't really exist. Again, I see the problems with the left turn of people going westbound. Thank heaven that red light is there so I can get out of there sometimes. It's not a happy situation. Thank you for your attention.

Chairman Elkins: Thank you. Are there any other comments from the public? Seeing none, I would entertain a motion.

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

Chairman Elkins: With that, I would invite Mr. Hill and Ms. Burka to step back and address the questions raised during the hearing.

Mr. Hill: To address the comments on the drainage, you live on the end of Mohawk? Right now, drainage from the playground flows to the southwest corner of the site where the proposed detention facility is placed. Currently, drainage drains from the playground area into the back yards along the houses on the east side of Mohawk. Currently, we are proposing a decrease in impervious area on the site. However, we are providing detention for some of the concerns of the neighboring properties, this being one. Our plan has all the runoff and flow from this play area and from the parking diverted in a swale along the west side into the detention facility and no longer routes into their back yards. The

proposed plan addresses your concerns from the school side. I can't address the new home to the south.

Mr. Ley: The plan issue to the south happened when the Mission Farms subdivision came in. The developer built up a berm that blocks the flow. There is currently a house under construction there, and we have talked with that builder to remove that fill and regrade the swale so the water is no longer ponding on her property. It can actually drain to the south to that area inlet, which the school will tie into with their storm sewer line.

Mr. Hill: We are addressing that from the school.

Unidentified Speaker: Could you identify the speakers?

Chairman Elkins: I just acknowledged Mr. Ley. He is with the city. He is the City Engineer. I would note for the record that the Public Hearing is closed. The public is here as our guests at this point in time. Please keep that in mind.

Mr. Hill: With regard to Mr. Brazell's comments on the west side of the school site, the site circulation is designed with the need to separate cars and buses. We don't want parent drop-off interacting with bus traffic. With that need and also the constraints of the site, it leads to the circulation on both sides. At the Interact Meeting, we had a chance to talk with Mr. Brazell and others on Mohawk regarding their concern about car headlights on their property. The original plan that we proposed had the visitor parking on the other side of the drive, so headlights would face west. In response to the feedback we received at the Interact Meeting from the homeowners on the west, we changed the parking and moved it to the other side of that drive. Headlights now along that west property line will face east. In addition, there is perimeter landscaping along the property line that will be installed, as well as a second row of landscaping along the drive itself on the west side.

Chairman Elkins: I will admit I did not pay attention to the contour lines. Is there a 15' difference in topography from the parking lot down to the neighbors' yards on the west?

Mr. Hill: Yes, the drive area is higher than the property line to the west. It is probably in the neighborhood of 10 feet of elevation change. That will be maintained with the new plan.

Chairman Elkins: Would you mind speaking with Mr. Brazell, perhaps after the meeting, about the vinyl fence?

Mr. Hill: Absolutely. And one point of clarification is the existing fences that the homeowners have around this property will remain.

Chairman Elkins: These are the homeowners' fences?

Mr. Hill: The homeowners' fences will not be removed. The fences around the school will be new in addition to those fences.

Chairman Elkins: It seems like there was another question Mr. Hammond had.

Mr. Hill: Yes, regarding the parking. We looked at various parking options. City regulations do not allow us to put parking along 103rd Street. There are certain requirements where a certain percentage of the frontage of 103rd cannot be pavement and parking. It must be building or open green space. That drives the plan you see here. The building along 103rd has frontage along 103rd, and the drives and parking are limited. Secondly, due to site topography, there is a significant grade change from the north part of the site to the south part of the site. Shifting the building south is not feasible with the current topography of the site and the need for playground space.

Chairman Elkins: I think Mr. Hammond also raised the question as to whether there had been a traffic study done. Staff indicated that perhaps there had been. Could you tell us more about the work you've done to evaluate the traffic needs? It does seem like a lot of cars, even for a large elementary school.

Mr. Hill: A traffic study was done. It evaluated the current circulation of the school. It included walkers, car riders, bus riders, and also the new condition. One of the goals was to try to eliminate as much stacking as possible on 103rd. He is correct in that there is not a significant traffic issue on 103rd. Cars are able to get by, but it does back up onto 103rd. Any time we can help that situation and get cars off an arterial roadway, we try to do that. That is what we have done with the site. We have tried to minimize the impact with the parking direction, landscaping, and direction of car flow to help with that on the site itself.

Chairman Elkins: Thank you. Other questions from the commission?

Comm. Coleman: Since we brought up the parking on the east side, what is the traffic flow for the buses? It looks like a much narrower space on the east side.

Mr. Hill: Buses will enter the site and will turn around in that parking lot to the south. We have run turning movements for buses and fire trucks. They will circulate through the parking lot and then exit.

Comm. Coleman: They will go around the staff parking, and there is enough room there to do that?

Mr. Hill: Yes, and again, I mentioned earlier the goal of this side is to keep bus and parent traffic separate. Staff parking will be in that lot. They'll still be in the building. There won't be vehicle traffic in that lot at the time the buses are utilizing that area.

Comm. Block: Except for late-arriving staff, which I see every day in my school.

Mr. Hill: We're dealing with staff and not parents.

Ms. Burka: To note, the school bus system does not have an over-arching system with this school. It is 90% parent drop-off, so we are talking 1-2 school buses at this time.

Comm. Block: At my school, there is after care with buses. Will they utilize that as well?

Ms. Burka: Yes, this school will have an after-care program as well. We're trying to eliminate that crossover of parents trying to pick up their students and buses dropping off for an after-care scenario.

Comm. Block: The off-site after care would use that bus lane as well?

Ms. Burka: Yes.

Comm. Pateidl: Mr. Klein, going through the application, I see we have an extensive analysis of the traffic study. I'm presuming this is public information and will be on our website.

Mr. Klein: Yes, we have the packet posted on the website right now.

Comm. Pateidl: If Mr. Hammond would like additional information on the traffic study, it is available for him.

Mr. Klein: On the City of Leawood site, you would need to go to the Planning Commission page. The current packet has the information in a PDF.

Chairman Elkins: If you have any trouble getting to that, please feel free to call the staff and have them help you. Any other questions for the applicant? Thank you very much. That takes us to discussion of Case 31-17. Questions or comments? Does that take us to a motion?

A motion to recommend approval of CASE 31-17 – BROOKWOOD ELEMENTARY SCHOOL – Request for approval of a Zoning to R-1 (Planned Single Family Low Density Residential District), Special Use Permit for a Public Elementary School, Preliminary Plan and Preliminary Plat, located at 3411 W. 103rd Street – with 22 stipulations – was made by Pateidl; seconded by Levitan. Motion carried with a unanimous vote of 5-0. For: Levitan, Pateidl, Ramsey, Coleman, and Block.

Chairman Elkins: I might encourage the school district to give some consideration to additional communication on your website about the development of the property and the construction process. I know that you probably don't control that process, but if you could communicate it back, I think it is critical as we go through this process to communicate to the neighbors through the district website what is going on through that construction. Thank you very much.

CASE 44-17 – PLAZA POINTE – 5 O’CLOCK LIQUOR – Request for approval of a Special Use Permit for packaged liquor sales, located south of 135th Street and east of Briar Street. **PUBLIC HEARING**

Staff Presentation:

City Planner Staci Henry made the following presentation:

Ms. Henry: This is Case 44-17 – 5 O’Clock Liquor, who is requesting a Special Use Permit to allow packaged liquor sales under new ownership. The property is located south of 135th Street and east of Briar Street. The property is zoned SD-CR (Planned General Retail). The applicant is proposing a Special Use Permit to allow the continued operation of packaged liquor sales under new ownership at 4821 W. 135th Street in the Plaza Pointe development. No changes are proposed to the site or building with this application. The hours of operation will remain the same: Monday-Thursday from 11:00 am – 9:00 pm, Friday-Saturday from 11:00 am to 10:00 pm, Sunday from noon to 5:00 pm. An Interact Meeting was held on April 6, 2017 with no attendees. Staff recommends approval of Case 44-17 with the stipulations included in the Staff Report, and I would be happy to answer any questions.

Chairman Elkins: Questions for Ms. Henry I have a point of curiosity. In the packet we received, on the aerial photograph of the site, there is a big red cross over the top of Church of the Resurrection. What was intended by making that notation?

Mr. Klein: It is just the notation that it is a church. It came out wider than it was intended.

Ms. Henry: That is the symbol on the Comprehensive Plan.

Chairman Elkins: Thank you. That is the only question I have. Is the applicant present?

Applicant Presentation:

Lisa Vaughn, 6703 W. 147th Terrace, Overland Park, appeared before the Planning Commission and made the following comments:

Ms. Vaughn: Nothing is being changed except ownership.

Chairman Elkins: As you may have noted, often there are stipulations or conditions for granting the approval. In this instance, there are five. One of them relates to hours of operation. Do you have any objections to any of them?

Ms. Vaughn: I have no objections.

Chairman Elkins: Thank you. Are there questions for Ms. Vaughn? Seeing none, we will move on to the Public Hearing.

Public Hearing

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

Chairman Elkins: That takes us to a discussion. Are there comments? Seeing none, that takes us to a motion.

A motion to recommend approval of CASE 44-17 – PLAZA POINTE – 5 O’CLOCK LIQUOR – Request for approval of a Special Use Permit for packaged liquor sales, located south of 135th Street and east of Briar Street – with 5 stipulations - was made by Ramsey; seconded by Pateidl. Motion carried with a unanimous vote of 5-0. For: Levitan, Pateidl, Ramsey, Coleman, and Block.

CASE 45-17 – FIRST FEDERAL BANK OF KANSAS CITY – Request for approval of a Rezoning from Limited Office District, B-4 Sub-Classification A (Limited Office under a previous Leawood Development Ordinance) to SD-O (Planned Office District), Special Use Permit for a Bank with a Dive-through, and Preliminary Plan, located at 8000 State Line Road. **PUBLIC HEARING**

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 45-17 – First Federal Bank of Kansas City. The applicant is requesting approval of a Rezoning from Limited Office District, B-4 Sub-Classification A (an older zoning classification) to SD-O (Planned Office District), which is the equivalent to what we currently have. They are also requesting a Special Use Permit for a bank with a drive-through and Preliminary Plan to expand an existing banking facility at 80th Street and State Line Road. Currently, the bank has existing since about 1975. The existing building is 11,400 square feet. The applicant is proposing to increase the size of the building by 12,115 square feet, which is an increase of about 6.2%. This is a single-story building with a basement. The applicant is proposing to keep the bank building in its current location. There are legal, nonconforming setbacks that currently exist. They do not plan on increasing the nonconformity. On the north and south side, there are drives that go along the north side to enter the site, loop around, go through a parking lot on the west side of the building, and then loops back around to State Line through a drive-through on the south side. They don’t plan on changing anything with regard to the north and south side other than the elevations of the building itself. With regard to the east and west elevation, there is a canopy that overhangs on the north and south, extending farther than the center section. They do plan on bumping that out on the east side to create more of a visible storefront. It will be more glass to update the building. The main entrance will be located on the west end, which is on the back side of the building. Where it currently is, they plan on removing some concrete planters. They will update elevations, creating a plaza area that will have some seating and bike parking. There are about 49 parking spaces located on the west side of the building. They are not proposing any changes to

the number of parking spaces. Staff is recommending approval of this application, and I would be happy to answer any questions you may have.

Chairman Elkins: Thank you. Questions for Mr. Klein? Thank you.

Applicant Presentation:

Kwame Smith, SFS Architecture, 2100 Central Street, Kansas City, MO, appeared before the Planning Commission and made the following comments:

Mr. Smith: On behalf of First Federal Bank of Kansas City, I'd like to thank you for your consideration tonight and also thank city staff for their reference and recommendations moving forward. First Federal Bank of Kansas City is excited to be increasing their presence in the City of Leawood through the investment in this property. I'd be happy to answer any questions.

Chairman Elkins: Does your client have any objections to the 19 stipulations included in our packet?

Mr. Smith: They do not.

Chairman Elkins: Additional questions for Mr. Smith? Seeing none, because this a Special Use Permit, we require a Public Hearing. Is there anyone in the audience who wishes to be heard?

Public Hearing

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

Chairman Elkins: Are there comments or discussion about Case 45-17? Seeing none, I would ask for a motion.

A motion to recommend approval of CASE 45-17 – FIRST FEDERAL BANK OF KANSAS CITY – Request for approval of a Rezoning from Limited Office District, B-4 Sub-Classification A (Limited Office under a previous Leawood Development Ordinance) to SD-O (Planned Office District), Special Use Permit for a Bank with a Dive-through, and Preliminary Plan, located at 8000 State Line Road – with 19 stipulations – was made by Ramsey; seconded by Levitan. Motion carried with a unanimous vote of 5-0. For: Levitan, Pateidl, Ramsey, Coleman, and Block.

Chairman Elkins: On a note of personal privilege, I extend my thanks to Commissioner Pateidl for chairing the last meeting in my absence.

MEETING ADJOURNED