

**City of Leawood
Planning Commission Meeting
June 27, 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: Belzer, Hoyt, Levitan, Elkins, Strauss, Ramsey, Coleman, and Block Absent: Pateidl

APPROVAL OF THE AGENDA

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

Mr. Klein: No.

A motion to approve the agenda was made by Ramsey; seconded by Coleman. Motion carried with a unanimous vote of 7-0. For: Belzer, Hoyt, Levitan, Strauss, Ramsey, Coleman, and Block

APPROVAL OF MINUTES: Approval of the minutes from the May 23, 2017 Planning Commission meeting.

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

CONTINUED TO THE JUNE 25, 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 58-17 – NORMANDY PLACE, FIFTH PLAT – Request for approval of a Revised Final Plan, located north of 103rd Street and west of Roe Avenue.

CASE 62-17 – WELLS FARGO, ROOF – Request for approval of a Revised Final Plan, located north of 103rd Street and west of State Line Road.

A motion to approve the Consent Agenda was made by Ramsey; seconded by Hoyt. Motion carried with a unanimous vote of 7-0. For: Belzer, Hoyt, Levitan, Strauss, Ramsey, Coleman, and Block

NEW BUSINESS:

CASE 57-17 – TOWN CENTER PLAZA – SUNDANCE – Request for approval of a Final Plan for a change to the façade of a tenant space, located north of 119th Street and west of Roe Avenue.

Staff Presentation:

City Planner Staci Henry made the following presentation:

Ms. Henry: We'll be discussing Case 57-17 – Sundance. Sundance is requesting a Final Plan for a change to the façade of a tenant space. The property is located at Town Center Plaza north of 119th Street and west of Roe Avenue. The property is zoned SD-CR (Planned General Retail). The applicant is proposing to change the façade of the tenant space that contains 4,565 square feet of retail. The exterior brick columns shall remain. These columns can be seen throughout the Town Center Plaza development. The applicant is proposing an aluminum storefront system in the color of a medium bronze and gooseneck lighting on the tower elements, south, and west facades. The reclaimed wood is along the storefront as well as between the columns on the tower element. A channel of upright shall be attached to the bottom edge of the rustic wood to illuminate the design feature. The applicant is proposing wood double doors with glass side lights laced with chicken wire to create the unique storefront. Staff recommends approval of Case 57-17, and I'd be happy to answer any questions.

Chairman Elkins: Thank you. Any questions for staff? I would invite the applicant to step forward, please.

Applicant Presentation:

Miho Koshido-Downey, JGA Architects, appeared before the Planning Commission and made the following comments:

Ms. Koshido-Downey: We have designed the Sundance store. We would like to request the approval of the changes that have been proposed. Sundance is a company that was founded by the actor Robert Redford, and they primarily sell apparel, jewelry, and shoes to women. They have the vision of supporting the arts and crafts of the American West, which is the idea behind creating an interior that supports the artisanal feel. As their brand, they wanted to emanate that outward toward the exterior. I believe within the proposal, we have shown several other storefronts that have taken on the similar idea and similar vocabulary. We are respecting the architecture that exists, so we are not going to be changing anything that is preexisting. We would like to fill and clad in certain parts with reclaimed wood, which will only be attached through the mortar joints so we are not affecting any of the brick. We will have a little bit of the cladding against the soldier coursing of the brick with the metal so that it will not affect any of the existing structure. We would very much like to request for the approval.

Chairman Elkins: Should the city approve the plan, what is your timeline for completing the tenant improvements and opening?

Ms. Koshido-Downey: I believe the opening is November 14th or 16th.

Chairman Elkins: Staff has attached seven stipulations. Do you have any objections to those stipulations?

Ms. Koshido-Downey: We do not.

Chairman Elkins: Questions for the applicant?

Comm. Levitan: Mark, are you comfortable with the sealer on the reclaimed wood?

Mr. Klein: We are comfortable with this. We worked with the applicant. We wanted to make sure they didn't change or affect the existing brick. We are comfortable with how they are attaching everything because it can be removed.

Chairman Elkins: Thank you. Are there any other questions? Thank you. That will move us to discussion of the application and a motion?

A motion to recommend approval of CASE 57-17 – TOWN CENTER PLAZA – SUNDANCE – Request for approval of a Final Plan for a change to the façade of a tenant space, located north of 119th Street and west of Roe Avenue – with seven stipulations – was made by Strauss; seconded by Ramsey. Motion carried with a unanimous vote of 7-0. For: Belzer, Hoyt, Levitan, Strauss, Ramsey, Coleman, and Block

CASE 60-17 – FIRST FEDERAL BANK OF KANSAS CITY – Request for approval of a Revised Final Plan and Revised Final Plat, located south of 79th Street and west of State Line Road

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 60-17 – First Federal Bank of Kansas City. It is a request for approval of a Revised Final Plan and Revised Final Plat to expand an existing bank facility with a drive-through on 86,751 square feet. The applicant is increasing the building by 715 square feet, and the total square footage of the building will be 12,115 square feet. (*Refers to plan on overhead*)

The existing bank is 11,400 square feet. They are proposing a 715-sq. ft. addition. The places they will make the addition will be in the front. There are two walls that extend a bit farther on the north and south sides. The middle portion will be brought up even with the two walls to create a much more prominent entrance. On the backside, which will be the main entrance, they are extending it 4 feet to the west. They are creating a plaza area. The sidewalk is 10 feet in width and will be grey stamped concrete with the look of a running bond brick pattern. They are providing bike racks at the northwest corner of the building. The parking on the west side of the building is existing.

They reduced from 49 to 47 spaces because the dimensions were not correct when they restriped, so they expanded some spaces. It is still well within the required parking ratio for the City of Leawood at 3.9 parking spaces per 1,000. They are proposing to screen the parking with primarily shrubs accented with some trees. The shrubs will be 36 inches in height at the time of planting. This does slope up toward the west. In addition, they will provide a sidewalk along State Line Road with pedestrian connections that go across each of the driveways. The driveways are one way in and one way out. They are also proposing a monument sign in front of the building. There is an existing monument sign that will be replaced. This sign will not be externally illuminated but will have a couple floodlights on each side. The lights will be hidden by the landscaping.

The plaza area provides a bench and the bicycle racks. There will be a demarcated pedestrian crossing over to the parking on the west. The bank itself will have the primary entrance on the west end. It will have a glass front. On the east side of the elevation, they will increase the height of the building to 23 feet, 5 ¼ inch. It will have a large glass storefront. The bank logo will be within the building itself and will be visible from the exterior of the building. It is more of an architectural element and is not considered window signage because it is farther back than 3 feet. Staff is recommending approval of the application, and I'll be happy to answer any questions.

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

Comm. Block: You talked about the 36" bushes, and later in our agenda, we will talk about potentially amending the development ordinance. How would that impact it?

Mr. Klein: When we get to that application, we have a revised amendment before you on the dais. We are currently proposing 24" bushes. Part of the reason is that they can grow fairly quickly. The other reason is 24" bushes are much easier to find with greater variety. The revision on the dais would make this applicable to some cases that are approved prior to the amendment.

Comm. Strauss: David, this parcel has two driveways. Every driveway along the corridor is like an intersection. It creates conflicts and decreases safety along State Line. Has a study ever been done on State Line Road and how to improve access along the corridor? Redevelopment of sites is an ideal opportunity to look at possibly cross access between parcels and looking at reducing a driveway to improve safety.

Mr. Ley: We have not undertaken a study through this corridor from the north city limits to 83rd Street. There are quite a few driveways. When Wendy's came in, we worked with them quite a bit to restrict their access. They actually have one exit and an entrance, but previously, both were entrances and exits. It is pretty difficult because on the east side of State Line Road is Kansas City, Missouri, and we don't have jurisdiction there.

Comm. Strauss: What are your thoughts on the two driveways at this parcel and then two driveways at the parcel to the north?

Mr. Ley: The parcel to the north is Prairie Village, so we really wouldn't have anything to say on that. In Leawood, we have this property, which has two one-way in and one-way out driveways. To the south, we have the office building with the one entrance. Really, what is in Leawood is just those three driveways. We do maintain the roadway, so we get all the traffic and frustrations, but unfortunately, everything is outside city limits.

Chairman Elkins: Thank you. Additional questions? In looking at the plan for the fire truck circulation, it looks complicated. I understand the Fire Chief has indicated he has no objection, but was there any discussion, or is it just my eye that sees it as complicated?

Mr. Klein: I had the same question. I checked with Fire Marshal Gene Hunter and asked him to send the email confirming it was fine. He said it could not go on the southern drive because there is not enough room with the existing drive-through canopy.

Comm. Strauss: When there's a fire, do they have these plans? Do they know which driveways they can use?

Mr. Klein: I don't know the answer to that. I would assume that they have a plan of action. I know that if it gets too complicated or if the turning movements are not there, they consider circulating throughout the entire side if they can back up or if they can reach the building from the street.

Chairman Elkins: Seeing no additional questions for staff, I would invite the applicant to step forward.

Applicant Presentation:

Rick Mann, First Federal Bank, Kansas City, 6900 Executive Drive, Kansas City, MO, appeared before the Planning Commission and made the following comments:

Mr. Mann: We appreciate the opportunity to be here. We certainly want to express how much we've enjoyed working with staff through this project. This project has been somewhat unique. It was built in 1975, and nothing has changed since then. The carpet on the inside is original carpet. As we worked with staff, there have been many changes in terms of zoning and codes. We have worked together to work on this challenge, and we are very proud of the plan. This is the northern point of Leawood on State Line. Our property line adjoins Prairie Village. Our goal with this property is to make it clear that this is the beginning of Leawood on State Line. Kelly Stindt with SFS Architecture has been very involved with us with this property. I would be happy to address any questions or concerns.

Chairman Elkins: Thank you. Questions for Mr. Mann? I note that the staff has identified 26 stipulations to their recommendation. Do you have any objections to them?

Mr. Mann: We do not.

Chairman Elkins: This seems to be a pretty dramatic and nice improvement. This is going to upgrade the face of Leawood as people come from the north. We are grateful for the work you're doing and the investment you are willing to put into the property. I would now ask the commission for additional discussion, leading to a motion.

A motion to recommend approval of CASE 60-17 – FIRST FEDERAL BANK OF KANSAS CITY – Request for approval of a Revised Final Plan and Revised Final Plat, located south of 79th Street and west of State Line Road – with 26 stipulations – was made by Block; seconded by Levitan. Motion carried with a unanimous vote of 7-0. For: Belzer, Hoyt, Levitan, Strauss, Ramsey, Coleman, and Block

CASE 63-17 – LEAWOOD ELEMENTARY SCHOOL, MECHANICAL SCREENING – Request for approval of a Revised Final Plan, located north of 123rd Street and east of Norwood Drive.

Staff Presentation:

City Planner Staci Henry made the following presentation:

Ms. Henry: We will be discussing Case 63-17 – Leawood Elementary School, which is requesting mechanical screening for ground units. The property is located north of 123rd Street and east of Norwood Drive. The property is zoned R-1 (Planned Single Family Low Density Residential). The applicant is proposing to relocate existing mechanical equipment from the rooftop of the building to the ground. The utility enclosures are located on the north, west, and south sides of the building. The south side of the building shall also have an un-roofed utility yard and a mechanical room addition. The utility enclosures on the north and west sides of the building will be constructed of red brick veneer to match the existing building. The utility enclosure on the south side of the building will be constructed of beige stucco to match the existing building. The utility yard shall be constructed of cast stone columns to match the cast stone on the existing building with the walls of the utility yard made of grey horizontal metal louvers. Furthermore, the walls of the mechanical addition to the south façade will be constructed of beige stucco to match the cast stone on the existing building. Staff recommends approval of Case 63-17, and that includes the stipulations in the Staff Report.

Chairman Elkins: Thank you.

Comm. Block: It was hard for me to visualize this, especially with the comment that staff has concerns about the visual aesthetics of Leawood Elementary School and to ensure doors and gates remain closed when not in use. I didn't see a good illustration of what the front would look like.

Mr. Klein: On the front page of the Staff Report on the south elevation, the comment is to try to impress upon the school the importance of closing the doors and gates that will access these utility enclosures.

Comm. Block: Is that the blue doors?

Mr. Klein: The blue doors are part of the ones that are on the enclosures, and they also have some gates on the utility yard located adjacent to 123rd Street.

Comm. Block: Is there any concern about the noise this generates from being on the roof to right in the front where pickup and drop-off is?

Mr. Klein: The applicant might be able to address that a bit more. Sometimes there is more efficiency with newer units.

Comm. Block: Should the doors be on the side or somewhere else?

Mr. Klein: I think it is fine; we just want to make sure the doors stay closed.

Comm. Block: How do you enforce that?

Mr. Klein: We have code enforcement officers that check on that.

Comm. Belzer: I'm having a hard time visualizing this. Is there a better rendition, or can you walk us through exactly what we were talking about? I was a little confused as to where these would be placed.

Ms. Henry: (*Referring to plan*) On the south elevation is the enclosure made of stucco with a door. Then the metal louvre utility yard has a gate on the south side. There is also an enclosure with double doors. On the north elevation is another addition. On the west elevation is an enclosure with a roof.

Comm. Belzer: The enclosure on the west is adjacent to the door where the kids enter, correct?

Ms. Henry: No, the kids enter on the east elevation.

Comm. Belzer: The buses enter on the west side.

Comm. Strauss: I think Exhibit A1.0 seems like a good one to give you an idea where they are located.

Comm. Belzer: It is right next to the door.

Ms. Henry: Yes, and they will have another door coming out, but it will be enclosed with a fence. The utility will be enclosed as well.

Comm. Block: I thought that was the main entrance on the south. The main entrance is on the east and west?

Comm. Belzer: The south entrance is staff entrance. The west side is a drive, and the kids enter off the buses on that side. Parents drop off and pick up from the west side, also, but the east side is the main entrance.

Comm. Strauss: Usually the utilities are on the roof. What is the reason for bringing them down?

Mr. Klein: They did this with Prairie Star Elementary School as well. They might be able to better tell you about that.

Chairman Elkins: It seems that historically, we have had issues around the issues of cast stone. Can you refresh me on that and the concerns about the durability?

Mr. Klein: We are fine with cast stone. It is the cultured stone that gets us more concerned. Cast stone is used for lentils, windowsills, and trim. It tends to be either in large slabs or in accent materials. It is integrated into the building. The reason we had a concern about the cultured stone is that it is typically just applied to the surface of the building. It wasn't mechanically attached; it was just adhered to. We saw it fall off the buildings a number of times.

Chairman Elkins: As I recall, there was also an issue that if it got damaged, under the surface, the color would be different. That is an issue with cultured stone, though?

Mr. Klein: Correct.

Chairman Elkins: Cast stone is the same consistency throughout the casting.

Mr. Klein: That is correct. City Hall has cast stone for the windowsills.

Chairman Elkins: Seeing no other questions, I would invite the applicant to come forward.

Applicant Presentation:

Craig Serig, DLR Group, 7290 W. 133rd Street, Overland Park, appeared before the Planning Commission and made the following comments:

Mr. Serig: I don't have a presentation. I am filling in for Scott Pashia, whose wife's birthday is tonight. In response to the question on the noise, it is a displacement system, so it is bringing in low velocity air at a lower height in the classroom, so it is a healthier environment for the kids in there. The equipment is far more efficient than the rooftop units. It uses far less energy and delivers a better product within the rooms. It is quieter, so not only will it be visually more appealing than what you currently have, but it will also produce less noise.

Chairman Elkins: This is all about moving the mechanicals? There is no other activity?

Mr. Serig: The units are larger and more centralized, so it is not easily done on the roof. It creates a higher volume that is less attractive and would produce more weight. It would be harder to structurally accommodate.

Chairman Elkins: Questions for the applicant.

Comm. Block: That helps; thank you.

Comm. Strauss: Is this something that will happen to all the Blue Valley schools over time? Is this just some of the units? Are there still some units on the roof?

Mr. Serig: It has happened to probably half of the schools already, and there is a plan to replace all of them eventually. There are still some units on the roof. There are areas that are not easily accessible. The main equipment that remains on the roof is compressors. That is just something we couldn't take down to the ground.

Chairman Elkins: Additional questions? I note that staff has attached 15 stipulations as proposed conditions. Do you have any objections to those?

Mr. Serig: No objections.

Chairman Elkins: Thank you. Any additional discussion? I would entertain a motion.

A motion to recommend approval of CASE 63-17 – LEAWOOD ELEMENTARY SCHOOL, MECHANICAL SCREENING – Request for approval of a Revised Final Plan, located north of 123rd Street and east of Norwood Drive – with 15 stipulations – was made by Ramsey; seconded by Hoyt. Motion carried with a unanimous vote of 7-0. For: Belzer, Hoyt, Levitan, Strauss, Ramsey, Coleman, and Block.

CASE 65-17 – BROOKWOOD ELEMENTARY SCHOOL – Request for approval of a Final Plan and Final Plat, located south of 103rd Street and east of Mohawk Road.

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 65-17 – Brookwood Elementary School – Request for approval of a Final Plan and Final Plat for a 2-story, 76,502 sq. ft. building with reconfigured parking, drive aisles, and a playground. The existing school is 56,168 square feet, so it will be an increase of 20,334 square feet. As you may recall, this application was heard by the Planning Commission on April 25th with the Preliminary Plan. They are back now for the Final Plan. It was approved by Governing Body on June 5, 2017.

Chairman Elkins: Are there substantial changes from the Preliminary Plan that was approved?

Mr. Klein: No.

Chairman Elkins: Please proceed.

Mr. Klein: (*Refers to overhead*) The applicant is proposing an irregular-shaped 2-story school building. On the west elevation, the building is substantially farther away than what it currently is. It does add a drop-off on the west side of the building, and it can hold up to 66 cars in the queue. The previous drive on the north side of the building would only hold about 19 cars. This allows cars to get off 103rd Street. On the east side, the building is slightly closer than it was before. Currently, the parking is almost right up against the east property line. They have an existing drive. It is set back 25 feet. It also has shrubbery and evergreen trees as well as deciduous trees to screen it. The same is true on the west elevation. That has two rows of landscaping. One is directly adjacent to the property line for the length of the drive on the west side of the drive itself, and then they have additional landscaping in the median. There is a fence that encloses the playground on the south side. The fence ties into the school, encloses the playground, follows the trail, comes around the side perimeter, excludes the employee parking lot on the south side, and then ties back into the school. The main entrance is at the northwest corner. There are pedestrian sidewalks off 103rd Street. There are bike racks as well. In addition, they show a sundial and phases of the moon as architectural elements.

They are trying to screen the west and east sides with landscaping. There is also landscaping along the drive aisle and more located in the island. On the east side, they have a series of shrubs, evergreen trees, and deciduous trees. The elevations of the building will primarily consist of a red brick as the primary material with a dark brown accent brick. The cast stone is primarily located on the gym. The rooftop utilities will be screened with a beige utility screen, which is required to be at least as tall as the utilities. Staff is recommending approval of this application, and I'd be happy to answer any questions.

Chairman Elkins: Any questions for Mr. Klein?

Comm. Belzer: I was just curious about the time frame for the building. It doesn't appear that this can be a Trailwood situation where they're building a new school while the old school was still available.

Mr. Klein: It is probably better to let the school answer that.

Comm. Block: Is it possible to call out the changes from the Preliminary submittal to the Final? When I reread this, it is hard to know what is different.

Mr. Klein: Honestly, not a whole lot changed. The layout of the school is almost exactly what it was. They moved one of the playgrounds a little farther from the adjacent residential neighborhood. There was a slight increase in the building size of 1,457 square feet. The layout of the parking was the same. Number of parking spaces stayed the same.

Comm. Block: That's helpful, but in the future, could another section be added to call out changes?

Mr. Klein: Sure.

Comm. Strauss: David, you mentioned a traffic study was done. I read that the city hired a consultant to review the traffic study. I didn't see it in here, though. Can you tell me the kinds of things the traffic study looked at?

Mr. Ley: One of the big concerns was the volume of traffic that was actually parking on 103rd Street. They went out a couple times and counted the volume of traffic that was actually parked or queued on 103rd Street. That is one of the reasons the parking lot is laid out as it is, so it can contain all the cars. The other issue we had came to our attention last year when we met with the parents at Brookwood. On the east entrance with the old traffic flow, cars were going straight across 103rd Street. The problem was that there was so much traffic on 103rd Street that when there was a clear gap to go across, they weren't even paying attention to the kids that were in the crosswalk on the north side. That is one of the reasons it was recommended to restrict that exit to a right-out. That is now the west entrance since all their activity for pickup and drop-off is on the west side.

Comm. Strauss: The west entrance is going to be a right-out only?

Mr. Ley: During the PM, yes. Initially, it will be that way, and then we will work with the school to see how traffic flow is after a couple weeks when everything settles down. If it looks like we can allow other movements out of that driveway, we will.

Comm. Strauss: I like that improvement. I just didn't see that. Maybe I missed it. I see the left turn arrow, so I thought there was a left turn out. Does it say somewhere in here that left turns will be restricted during school times?

Mr. Klein: There is a sign in the plans that between peak times, it is restricted.

Comm. Strauss: What about the left-in? One concern is that the school is going to almost double in size from what it is today.

Mr. Ley: The building gets bigger, but their attendance is going to remain the same until the area starts turning over, and then there may be more younger-aged people in the area. That is another concern we have. Currently, they are all using that west entrance to enter, so that is not restricted at this time. We would look at that, also. It will open in January, 2019.

Comm. Strauss: I was also concerned about that throat distance and someone even being able to get into that left turn lane. You will monitor that, and if there is a possibility for something in that left turn, you'll evaluate it.

Chairman Elkins: David, following up on that, when we say that it is a restricted left-hand turn, is there a physical barrier or just a sign?

Mr. Ley: It's just a sign. That's what currently exists on the east exit. It restricts the left turn, but it does permit going straight or right.

Chairman Elkins: The only way to really enforce it is if we see it being abused and directing some traffic control folks there.

Mr. Ley: That is correct. It would be just during certain times.

Chairman Elkins: As I recall, there was quite a bit of community interest when we looked at the Preliminary Plan. I seem to recall some concern about the dry detention basin. What is the vertical delta from the bottom of the basin to the top?

Mr. Klein: It is about 7 feet from the top to the bottom, and a swale runs along the west property line that will direct water as well.

Comm. Ramsey: Is it dry or wet bottom?

Mr. Ley: It is a detention pond, so it is dry until it rains.

Comm. Ramsey: It is meant to hold water temporarily so it allows it to flow out through that swale?

Mr. Ley: No, it will connect. There is a city storm sewer on the property to the west. They will extend that storm sewer pipe up to this pond. That pipe downstream is a little undersized.

Comm. Ramsey: If I recall correctly, it is only hours that it would be detained.

Mr. Ley: It is a pretty short duration, and it would be completely fenced off.

Chairman Elkins: It will be fenced off, and is it just a grassy area?

Mr. Klein: They have native vegetation that can take the moisture.

Comm. Ramsey: Last time, there was a question on the trail, and access to the trail was going to be limited because there's a gate.

Mr. Klein: There is a gate on the south side from Leawood Estates and also from the east. The applicant indicated the maintenance person would unlock it, and it would be accessible to the general public after school hours, but they did want to maintain the security during school hours.

Comm. Ramsey: There wouldn't be access during the day, but after school, they will unlock it and allow it.

Mr. Klein: That is my understanding.

Comm. Ramsey: Was there any consideration to maybe rerouting that trail so people would have access to the trail during the day as well? A lot of people use the trails during the day.

Mr. Coleman: The school district's policy is to have the property secured during school hours.

Comm. Ramsey: I understand that. That's why I'm asking about relocating it because we're going to cut it off during school days.

Mr. Coleman: There's no place to relocate it.

Comm. Ramsey: Would it be open on the weekends, then?

Mr. Coleman: I believe so, but you would need to ask them for sure.

Chairman Elkins: At this point, I would invite the applicant to step forward, please.

Applicant Presentation:

Jennifer Burka, Hollis & Miller Architects, 1828 Walnut Street, Kansas City, MO, appeared before the Planning Commission and made the following comments:

Ms. Burka: We are in the process of the final proposal for the school. I know you had a few questions, and I'd be happy to answer or further explain any of those. (*Refers to plan*) The walking trail you were discussing has gate access from the south. The eastern access is outside the gated fenced area; however, traveling down the sidewalk, there will be a gate access to the southern portion. The other piece that was discussed is the western drop-off time. The school is very efficient in how they run that. It's about a 10-15 minute window each day in the morning and afternoon. We will do a double stack of cars that will align on the western piece and then do the main drop-off on the northwest corner. The right turn only will be affected out of the western drive. The eastern is more for staff parking. The school will also be operating a Pre-K program, so we're trying to separate those parents from drop-off because they will need to park and walk their child into the school. They will use the eastern piece as well. I'd be happy to answer any questions you might have.

Comm. Coleman: In regards to the gates, there are two gates leading to the playground: one on the east side and one on the south side. Are those the only two access points?

Ms. Burka: Those are the main access points. We do have one on the west, and it's more for maintenance, lawn equipment and things to get through on that side of the school.

Comm. Coleman: During non-school hours, which gates will have public access?

Ms. Burka: They could all be opened. We foresee the one on the east and the one on the south for sure. It is their security. When the kids are there, they have to protect them. As part of the maintenance protocol each day, they will unlock those gates for after hours and also weekends.

Comm. Coleman: Is it similar to Briarwood?

Ms. Burka: Yes, Briarwood and Trailwood are following the exact same protocol.

Comm. Coleman: I have a question on both entrances and exits. The east side one for the parents in the morning is right turn only during all times or just during peak times?

Ms. Burka: It is just during peak times. The parents are used to a similar sign now with a designated time frame when they can turn right.

Comm. Coleman: They should not be able to cross 103rd to go straight?

Ms. Burka: We're trying to dictate that it is a right turn only.

Comm. Coleman: On the east entrance and exit for the preschool program, is that going to be right turn only as well or not?

Ms. Burka: Yes. The school is still looking at that program. We don't have a full understanding of the hours of that program, so we may have to work with the school as far as what the signage actually is. For anyone that's doing a normal school day drop-off, it will follow those hours.

Comm. Coleman: Cars can come from both the east and the west to the parent drop-off?

Ms. Burka: Correct.

Comm. Strauss: There is no gate on the east side until it gets near the playground area, so a parent could walk a child to the school from the neighborhood, which is great. On the south side, a parent could not walk a child to school, correct?

Ms. Burka: They could walk through in the morning, and then once school starts, they would lock those gates. They'll have it unlocked throughout the nighttime hours until a designated time. If they're late to school, they're not getting in.

Comm. Strauss: But it would be open during a normal time to walk to school.

Ms. Burka: Yes, and after the first bell rings, they secure the school as part of their protocol. I will say it is a human and could be forgotten.

Comm. Strauss: I'm glad we're providing a walking way to school, and then I understand the security after that. I have one more question about pedestrian access.

What currently happens at the access across 103rd in the middle between the two driveways?

Ms. Burka: That is an existing crosswalk. It has a light, and there is a crossing guard who is there every day.

Comm. Strauss: There is a pedestrian light?

Ms. Burka: Yes.

Comm. Belzer: Can you address the timeline for the buildout?

Ms. Burka: Right now, they're looking at relocating all the children to Indian Creek for this 2-year duration of construction. Demolition will begin this summer. The goal is to start construction by the fall, and it will run until January, 2019.

Chairman Elkins: I'm interested in the designated areas for soft play and hard play. What are the definitional differences?

Ms. Burka: Hard play is going to be the hard court surfaces for basketball, tetherball, four square. Soft play is the constructed turf, so it gives a little cushion so that if children fall off the play structures, it is not onto direct concrete.

Chairman Elkins: In either instance, it is an all-weather surface.

Ms. Burka: Yes.

Comm. Strauss: You were here for our previous case with Leawood Elementary School. Is there something that Blue Valley knows about equipment on roofs that Shawnee Mission isn't doing, or can you help me understand that? Why does it make sense at one school but not at another school?

Ms. Burka: I think it is their preference to put it on a roof. I think it is also additional security to keep people from tampering with units on a ground-mounted piece.

Comm. Strauss: It comes down to more of a personal preference.

Ms. Burka: Yes. These will all be rooftop units.

Chairman Elkins: I note that the staff has recommended a series of 28 stipulations. Do you or your client have any objections?

Ms. Burka: No.

Comm. Coleman: How tall is the fence around the playground area?

Ms. Burka: It is a 6' fence.

Comm. Strauss: On the proposed information, it says that the open space percent is going up, but the building size also went up. I was trying to figure that out. The footprint went down slightly; okay, thank you.

Chairman Elkins: Additional questions? Seeing none, this takes us to additional comment from the commission, leading to a motion.

A motion to recommend approval of CASE 65-17 – BROOKWOOD ELEMENTARY SCHOOL – Request for approval of a Final Plan and Final Plat, located south of 103rd Street and east of Mohawk Road – with 28 stipulations – was made by Ramsey; seconded by Coleman. Motion carried with a unanimous vote of 7-0. For: Belzer, Hoyt, Levitan, Strauss, Ramsey, Coleman, and Block.

CASE 69-17 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-2-6.4, MXD (MIXED USE DEVELOPMENT DISTRICT) – Request for approval of an amendment to the Leawood Development Ordinance. **PUBLIC HEARING**

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 69-17 – Leawood Development Ordinance Amendment to Section 16-2-6.4, MXD (Mixed Use Development District). This application is to ensure that there is a reference to the 135th Street Community Plan and also some of the requirements or main components with regard to the nodes and destination streets. It is being done to be open. Also, we have a lot of people from the development community who go to the LDO, and they can find out things about the 135th Street Plan that they can reference when coming in to talk to staff. Staff is supportive of this application, and I'll be happy to answer any questions.

Chairman Elkins: Questions for staff?

Comm. Strauss: I think my only concern is 135th Street isn't the only MXD. If you're concerned, couldn't we just list them all?

Mr. Klein: The 135th Street Community Plan is the one that lists nodes and destination streets. That isn't really located in the rest of the MXD. I know that Mission Farms at 105th and Mission Road is located out there. Parkway Plaza would be located in the 135th Street Corridor.

Comm. Strauss: I don't have a problem with it, but it just seemed like have Mixed Use ordinance, and "Oh yeah, don't forget about the 135th Street Plan," and then it moves on, but there are a few MXD zoning areas around the city.

Chairman Elkins: Additional questions? I'll follow up on that concern. This is a drafting issue for me. If I read this correctly, I understand that it says in the second paragraph that all MXD development needs to be consistent with the adopted 135th Street Community Plan. I don't think that is the intent, or is it?

Mr. Klein: The intent is that the 135th Street Community Plan is referenced. The only time they would have to adhere to the 135th Street Community Plan is for the 135th Street Corridor. You are right. The intent is located within the 135th Street Corridor.

Mr. Coleman: We can add, "where applicable" in that first one.

Chairman Elkins: If I'm misreading it, then tell me, but we're talking about establishing a zoning classification that is consistent with the adopted 135th Street Community Plan.

Mr. Coleman: If we add, "where applicable," it should take care of it.

Chairman Elkins: I think that would make me happier, but I'm curious if my colleagues agree.

Comm. Ramsey: I concur.

Comm. Belzer: I agree.

Chairman Elkins: Any additional questions for staff? I note that this case 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 Strauss. Motion carried with a unanimous vote of 7-0. For: Belzer, Hoyt, Levitan, Strauss, Ramsey, Coleman, and Block.

Chairman Elkins: That takes us to discussion, leading to a motion.

A motion to recommend approval of CASE 69-17 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-2-6.4, MXD (MIXED USE DEVELOPMENT DISTRICT) – Request for approval of an amendment to the Leawood Development Ordinance – with the addition of the words "when applicable" as discussed – was made by Strauss; seconded by Belzer. Motion carried with a unanimous vote of 7-0. For: Belzer, Hoyt, Levitan, Strauss, Ramsey, Coleman, and Block.

CASE 70-17 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-7, LANDSCAPING AND SCREENING REQUIREMENTS – Request for approval of an amendment to the Leawood Development Ordinance. PUBLIC HEARING

Chairman Elkins: I believe a substitute memorandum was placed on the dais for each of the commissioners.

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: There was a revised addition placed on the dais. It recommends one additional amendment with regard to landscaping. Currently, landscaping for street trees and shade trees calls for 4" calipers at the time of planting. In addition, shrubs are supposed to be 5 gallons and 36" high at the time of planting. We've been hearing reports of this for a while, and we've checked with the Parks Superintendent. The 4" calipers require a bigger ball and tend to go into shock. It is a bit more difficult to plant to begin with. The tree takes time to acclimate; whereas, a smaller tree does not have that same shock factor. A lot of times, we've heard they will actually catch up to and possibly surpass the 4" caliper tree because it doesn't have to wait to acclimate to those conditions. That is part of the reason we are recommending changing from the 4" caliper to the 2" caliper. The other reason is that as projects are constructed, the landscape architect will draw up plans, and that is what comes before Planning Commission and City Council to be approved. And then, as soon as it gets to the construction phase, when they try to purchase the plants, they can't find them. They then come back and say there aren't enough available. That actually happens more with the 4" caliper trees. The nurseries said they would sell the plants as soon as they can, so there are fewer and fewer plants and varieties of species as the plants get larger. This will also allow the landscape architects as well as the nurseries to actually fulfill the design concept they originally had for those developments. Again, by the time they get to be mature plants, it would take no more time than what it would have been before. With regard to the shrubs, it is a similar issue. We had 36" height and 5 gallons. We took out the 5 gallons because there seems to be a bit of confusion. There are a number of different standards in the nursery industry with regard to container size. Some of the landscape people were completely comfortable with the 5 gallons; other people would say that it makes no sense. After vetting this, we actually had a committee look at landscaping, and we decided it would be better probably to focus in on the height of the landscaping. We also wanted to reduce the initial height from 36" down to 24" for the same reason as the trees. The shrubs generally grow pretty quickly, but a 36" shrub is difficult to find. This will allow a greater variety of shrubs and will allow the design concept they originally started out with.

The reason you have a revision in front of you is we wanted to try to make the standards we are imposing tonight available to some of the landscaping plans that have already been approved but haven't been planted yet. It says that the Director of Community Development may allow the substitution of the size of trees and shrubs allowed by this section in the Final Plans approved prior to August 1, 2017, which Final Plan-approved landscaping is not yet planted. We reduced the size requirement for ornamental trees as well. Currently, they are 2" caliper and 8" high. We are reducing that to 1 1/2", and we removed the height requirement. The Parks Superintendent indicated that if we require a tree to be that tall at that caliper, it is not necessarily a good thing.

Staff is recommending approval of the application, and I'll be happy to answer any questions.

Chairman Elkins: Questions for Mr. Klein?

Comm. Block: I think the changes make sense from just my knowledge of landscaping, but are these accepted by the industry? Why 2 ½" and not 2" or 1 ½"?

Mr. Klein: As part of this committee, we had the Parks Superintendent there. We invited in some people from nurseries, and we also invited in a landscape architect to try to get the different perspectives. They basically recommended those calipers.

Mr. Coleman: 2 ½" is standard. They are widely available. The bigger they get, the fewer they have.

Comm. Block: It looks like you changed where that's being measured. I thought it was always chest height, and now it's down at the base. Is that standard.

Mr. Coleman: It is always standard to measure at that height.

Comm. Block: Why was that, then?

Mr. Klein: I think there was a little confusion. It had 4 ½ feet, which is the breast height. The Parks Superintendent said that is exactly where a mature tree is measured, but for a new tree that has just been planted, it should be 6 inches. That is the reason we moved everything to 6 inches.

Comm. Block: That's helpful. I know this is not part of the revisions, but when it talks about the 35 feet on center for frontage, within landscape setback, abutting street frontage, I know that looks good, but I've got a friend who owns a large landscape maintenance company here in town. When these trees are mature, they run into each other. This predates me, but the Commerce Bank had a situation. It looks great with a lot of trees throughout Leawood, but is that the right distance? You can't see storefronts when they get mature. I don't know if it's just not choosing the right plant material or the right trees.

Mr. Coleman: It depends on the species, but those 35-40 feet is pretty standard.

Comm. Block: We're on the low side. Is there a need to evaluate it?

Mr. Coleman: I don't think there is a need to change it at this point. We're working with the Sustainability Committee right now with adjustments to the Landscape Ordinance, and they are discussing a lot of that right now.

Comm. Block: So, we might see a change?

Mr. Coleman: We might see a change.

Chairman Elkins: Thank you. Other questions for Mr. Klein? Is there any impact on the survivability of either the trees or the bushes as a result of reducing the size?

Mr. Klein: We have heard time and time again that the 4" caliper trees do not survive as well as the 2 ½" caliper trees.

Chairman Elkins: So, this is a positive for survivability.

Mr. Coleman: You can look directly across the street at Walgreens and see the result of the 4" issue. There is a lot of top die-out because the roots don't get going fast enough.

Comm. Block: On the last page, Section 2 moves it to a 2 ½" caliper, but I thought you might want to add 6 inches there as well.

Mr. Klein: That's a great idea.

Chairman Elkins: In the absence of additional questions for staff, I would open the Public Hearing.

Public Hearing

Kevin Jeffries, Leawood Chamber of Commerce, 13451 Briar, Leawood, appeared before the Planning Commission and made the following comments:

Mr. Jeffries: The only question I had is that I wanted some clarification that might be helpful for the Governing Body when it gets to them. Does this mean that, in an existing development, where the trees die and the 4" caliper trees are not surviving well, they could be replaced with 2 ½" caliper trees?

Mr. Klein: The way it is written right now is it would be prior to 2017 and not yet planted, so I believe it would allow the director the ability to approve something like that.

Mr. Coleman: No, it wouldn't. I have a little concern about it because of some of my previous experience with businesses and trees. I've run into situations when the trees were killed or removed to get rid of the mature trees so they would just have little stick trees. Every five years, they would cut the tree down and replace it with a little tree.

Chairman Elkins: What about the circumstance when a tree dies or gets run over?

Mr. Coleman: It is the same situation. I have a little bit of an issue with it. We could say if it is a street tree, we could look at it. At the time, I need to have something that deals with the issue of removing the trees on purpose. We don't really have any restrictions on that right now. If you don't like the city's requirements for trees, you could always get rid of them and perpetually have 2 ½" trees. If you have a 12" tree and you cut it down and

have to replace it with larger and more trees, the cost differential is something they probably are not going to do.

Chairman Elkins: If we look at it from the other perspective, though, what I understand is that right now, if a business is under the 4" caliper circumstance and the tree dies, it has to be replaced with a 4" caliper tree. On the flip side, if a business under the new rule starts out with 2 ½" caliper tree, and 5-6 years down the road, they're at 4 ½" and the lose a tree, they will be able to replace that tree with a 2 ½" caliper. It's a little bit of a double standard.

Comm. Ramsey: What about in a residential area, though, like in public areas of subdivisions where they lose trees that are now fairly large?

Mr. Coleman: If they had a plan on file with the city for the subdivision for their landscape, that's what they would have to adhere to. If they want to change it, they would have to file a Revised Final Plan to change it. I do know that this will be retroactive to one of the subdivisions that is cutting down a lot of trees.

Comm. Ramsey: There are a number of people cutting down street trees.

Mr. Coleman: If they have a new plan, they could plant the 2 ½" trees.

Comm. Ramsey: This is going to get pretty serious for those who don't treat their street trees.

Mr. Coleman: I certainly see Mr. Elkins' point. We can bring it back up with the Tree Committee and see what they want to do. We're going to be back to you with additional landscape changes in the near future. It is certainly something that could be added.

Chairman Elkins: That's a good point that Commissioner Ramsey makes. Are you seeing an increase in tree applications as a result of losing the ash trees?

Mr. Coleman: We have a few. I think the area actually was pretty proactive about the borer, so we're not seeing the wholesale wiping out of the trees that happened in Ohio, for example. My neighborhood has thousands of mature ash trees. There are a few that are starting to succumb, but thousands of them have been treated. They're doing pretty well.

Comm. Ramsey: Most of them in my subdivision have been treated for probably the last four years.

Mr. Coleman: Right, and I think part of it is that some subdivisions have decided to save and treat their trees; some have just decided to cut them down and replace. It is up to the HOA which direction they want to go.

Chairman Elkins: It's interesting. I have three, and I treated all of them. Two will survive just fine, and the third one looks like it's on its last legs. They all three were treated with the same treatment at the same time. Any additional testimony from the public?

A motion to close the Public Hearing was made by Ramsey; seconded by Coleman. Motion carried with a unanimous vote of 7-0. For: Belzer, Hoyt, Levitan, Strauss, Ramsey, Coleman, and Block.

Chairman Elkins: That takes us to a discussion. Any additional comments or questions? I would entertain a motion.

A motion to recommend approval of CASE 70-17 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-7, LANDSCAPING AND SCREENING REQUIREMENTS – Request for approval of an amendment to the Leawood Development Ordinance – including the revision suggested by Commissioner Block - was made by Coleman; seconded by Strauss. Motion carried with a unanimous vote of 7-0. For: Belzer, Hoyt, Levitan, Strauss, Ramsey, Coleman, and Block.

MEETING ADJOURNED