

**City of Leawood
Planning Commission Meeting
December 12, 2017
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

Holiday Gathering – No Discussion of Items – Following Meeting at the Hereford House

**Located at 5001 Town Center Drive, Leawood, KS 66211
Within the Town Center Plaza Development**

CALL TO ORDER/ROLL CALL: Belzer, Hoyt, Pateidl, Elkins, Strauss, Ramsey, and Coleman. Absent: Levitan and Block

APPROVAL OF THE REVISED AGENDA

Chairman Elkins: Does anyone have additional comments?

A motion to approve the Revised Agenda was made by Strauss; seconded by Ramsey. Motion carried with a unanimous vote of 6-0. For: Belzer, Hoyt, Pateidl, Strauss, Ramsey, and Coleman.

CONTINUED TO THE FEBRUARY 27, 2018 PLANNING COMMISSION MEETING:

CASE 129-17 – HILLS OF LEAWOOD – Request for approval of a Preliminary Plan and Preliminary Plat, located north of 151st Street and east of Mission Road. PUBLIC HEARING

NEW BUSINESS:

CASE 127-17 – CITY OF LEAWOOD PUBLIC ART – DANCERS – Request for approval of a Final Plan and Final Plat, located north of Town Center Drive and west of Roe Avenue.

Staff Presentation:

City Planner Jessica Schuller made the following presentation:

Ms. Schuller: This is Case 127-17 – Dancers – Request for approval of a Revised Final Plat and Final Plan. The applicant is proposing to install one public art sculpture titled Dancers north of Town Center Drive and west of Roe Avenue on city-owned property. The sculpture will consist of two 20’ tall vertical steel pieces with variant form and shape, indicative of the movement of dancers. The sculpture will be anchored to a 10’x10’ concrete slab. The sculpture will be lit at night and will have a bronze plaque detailing the title of the art piece, the date of dedication, and the Art in Public Initiative of

the Leawood Arts Council. Staff recommends approval of Case 127-17 with the stipulations in the Staff Report. We have April Bishop here with the Parks and Recreation department to answer any questions.

Chairman Elkins: Thank you. Are there questions for staff? Jessica, I'm having trouble visualizing where this is. Can you give me some other landmarks besides the address?

Ms. Schuller: It is just north of us right now on the open hillside.

Chairman Elkins: Thank you. Does the applicant wish to make a presentation?

Applicant Presentation:

April Bishop, Cultural Arts Coordinator, City of Leawood, 4800 Town Center Drive, appeared before the Planning Commission.

Ann Blessing, Chair of Arts in Public Places Initiative, 2124 W. 115th Street, appeared before the Planning Commission and made the following comments:

Ms. Blessing: I would first like to thank the planning staff and all of you for allowing us to present at this meeting tonight. I also want to thank and acknowledge Sean Kelley, who is here with us tonight. Sean is with Zahner Company, and he was our arts professional on the selection panel that selected this piece of art. Julie Steinberg from Arts in Public Places Initiative is also here with us tonight.

Ms. Bishop: I assume you have seen pictures of the piece. It is extremely important definitely. We are getting this at a huge bargain, and we are excited about it. The artist is German born and living in Amsterdam. His pieces are now seen throughout the world. We feel this is a pretty big coup for Leawood to be able to acquire this piece, especially at a reasonable price.

Chairman Elkins: Ms. Bishop, I know that with art, sometimes this is the way it is presented, but we have two blank towers. I presume that it is the picture that is on Sheet 1 of Revision 2 that is actually the sculpture being proposed.

Ms. Bishop: They are basically two towers of imploded steel. One is corten; the other is stainless. Corten is the pre-rusted steel like the piece in front of the Justice Center. This is a natural, slow-growing rust that will not decompose. Most rusts are very aggressive; this is not.

Chairman Elkins: Thank you. Other questions for the applicant?

Comm. Pateidl: It is interesting that this is the second application from the Arts Commission within a month. In the years I've been privileged to serve on the Planning Commission, if we see two a year, it is unusual. The fact that it was unusual drew me to the website to learn a bit more about the Arts Council, and that drew me to the minutes from the work session of September 18th that you had with the Governing Body. IN that,

I learned a lot. One of the things over the years that has been fairly consistent between past and current members of the Planning Commission is a desire to be more supportive of the local art community. In those minutes, I learned about a program that I hadn't known about before called the Art on Loan program. I found that to be very interesting. I don't know if the other commissioners are aware of this. Maybe you might give us a brief overview of what that program is all about.

Ms. Bishop: The program started more than 14 years ago because it was in place before I began this position. Some of the pieces, we have purchased from that program, like the piece that is in front of City Hall and the one inside the Justice Center. A lot of the pieces are contracted for a year or more. The current piece is west of the parking lot at City Hall: the animal that is sitting on top of the limestone blocks. We do hope to purchase that at the end of the contract period or before. We would love to own that piece. It has gotten nice response from the citizens. Some of the pieces, we'll keep for a year or two, and then at the end of the contract period, the artist comes and takes it away. Another of those pieces is down on the Parkway. It is called Introspection. It is an abstract dark metal that is bronze with a black patina on it.

Comm. Pateidl: Is the location we're talking about tonight the current location of where we are presenting the Art on Loan?

Ms. Bishop: No. The location is directly behind you. It is north of the creek.

Ms. Blessing: We originally proposed that site, and that is probably what you read in the work session minutes. We thought this piece would look very good there. We were proposing that the Art on Loan program be moved to a yet-to-be-determined location. The City Council wanted to keep the Art on Loan where it is, so we were presented with the possibility of this alternative location, which is what we are proposing this evening.

Comm. Pateidl: That was the crux of my question because this program is terrific. I have taken the time to look at Overland Park, Lenexa, and Olathe, and nobody has anything like this. Leawood is a leader in this. For those of you who don't know more about this program, honorariums are included. If we buy the piece of art, they take the honorarium and put it against the purchase price. You've really done some innovative things, and I'd really hate to see that go. My impression was that we were going to bump Art on Loan off its pedestal, and I would not encourage that.

Ms. Blessing: No, and the Art on Loan program does allow us to highlight and bring some publicity to local artists. The artist of Point Defiance, which is our Art on Loan piece now, is Beth Nybeck, who is a local sculptor getting a lot of recognition nationally. We are thrilled to have her as part of our collection.

Comm. Pateidl: I might guess that those pieces of art we purchased are probably even a better bargain than what we're getting on this one.

Ms. Bishop: They certainly cost less. Now, it is not likely that they would increase in value as rapidly. It depends on how you view your investment.

Comm. Pateidl: It also states that the art must meet your selection committee's standards. I think that's more of a consideration. Speaking as a resident, I feel that art should be purchased for the purpose that you perceive rather than the price that you may obtain, at least for public use and indulgence.

Ms. Bishop: If you look at other programs around the country, you will sometimes see cities that purchase art because they want something new. Then, within ten years, they haven't maintained it, and the value of the piece is virtually nothing and they scrap it. I think the Art in Public Places Initiative has done an excellent job throughout the last 20 years of really selecting pieces that we hope stay forever.

Chairman Elkins: Thank you. Other questions for Ms. Blessing or Ms. Bishop?

Comm. Coleman: April, you mentioned the artist is from The Netherlands. I didn't see a name associated with it.

Ms. Bishop: His name is Ewert Hegelmann.

Comm. Coleman: On the location, I noticed there is a slope going from north to south. Trying to get a good idea of where it was going to be placed and if you needed to adjust for the slope of that hill.

Ms. Bishop: *Inaudible comments*

Comm. Coleman: Do you have to adjust for the slope?

Ms. Bishop: This requires a base. These are tall structures, so it will be 3 feet of concrete with pieces attached. It will be very secure. The pad will be level, even though the ground drops away. On the north end, you're not going to see much of the edge. On the side, there will be 1 foot or so of concrete with landscaping at that end.

Comm. Coleman: It will be lit from underneath. I noticed in the minutes of the meeting with the neighbors to the west, you addressed their concerns about the lighting. I saw they were satisfied with your answers. I'm curious who pays for the art. Is it the city or the Arts Council?

Ms. Bishop: The city really is the purchaser, but the funds come from an Impact Fee. When a commercial building is approved, they pay a fee of 15 cents per square foot for that space. It goes into the Arts Fund.

Comm. Coleman: I have one question for staff that I didn't see on the first go-around. Under the Final Plat on Page 2, it says that the art will be placed in the area previously defined as a view shed. What is a view shed?

Mr. Klein: Generally, a view shed is where you want to keep the corridor clear to allow for visibility of something. The piece is proposed to be located directly behind the building. Many trees run along the creek. This will actually be on the other side of those. It probably wouldn't make a lot of difference with regard to the view of City Hall.

Chairman Elkins: Thank you. Other questions? Ms. Bishop, you have investment and appreciation twice now in these presentations. Is there really a secondary market where cities trade or market their art?

Ms. Bishop: Absolutely; certainly, if you're making a very sound investment. A perfect example is a piece in Brook Beatty Park on Lee Boulevard. That piece was obtained for a really nice price, and it's worth so much now that I'm not going to say it out loud because someone might try to dig it up and take it away. It was created by Wendell Castle, and his popularity has skyrocketed. Again, he doesn't live here now, but he grew up in Kansas. We do have a tie to a lot of these artists who are not currently living here.

Chairman Elkins: These pieces are actually mounted in a fashion that they could be removed?

Ms. Bishop: It would take a backhoe, but if the city ever did decide to move or remove a piece, there is a stipulation in our policy for selling pieces. We don't intend to do that, but we can. Certainly, when they expanded the library, the piece was moved. It was not an inexpensive move to take it down the street, but it was necessary.

Chairman Elkins: Has the Arts Council created any sort of brochure or map that would be available to the citizens that identifies all the arts pieces in the city?

Ms. Bishop: I will bring you a stack that you can all have. It needs to be updated with a few pieces. It is online, too.

Chairman Elkins: Thank you both for your commitment to the arts. My sense is that this Impact Fee is a little bit on the innovative side for communities. We appreciate the time and effort you have put into it. Other questions for the applicant? Thank you. I would entertain discussion, leading to a motion.

A motion to recommend approval of CASE 127-17 – CITY OF LEAWOOD PUBLIC ART – DANCERS – Request for approval of a Final Plan and Final Plat, located north of Town Center Drive and west of Roe Avenue – with all staff stipulations – was made by Hoyt; seconded by Coleman. Motion carried with a unanimous vote of 6-0. For: Belzer, Hoyt, Pateidl, Strauss, Ramsey, and Coleman.

Chairman Elkins: I would like to thank staff for all their hard work. All the commissioners appreciate all the work you do in putting together a cogent and understandable presentation for what it is we are trying to do in discharging our duties to

the residents in the community. Any other comments or matters of business to be brought before the commission this evening?

MEETING ADJOURNED