

**City of Leawood**  
**Planning Commission Work Session**  
**August 14, 2018**  
**Annual Update Report Regarding Self-Propelled Leawood**  
**2018 Annual Update of the Comprehensive Plan**  
**135<sup>th</sup> Street Community Plan**  
**Potential Leawood Development Ordinance Amendments**

**Planning Commission Members in Attendance:** Hunter, Elkins, Coleman, Block, Hoyt, Belzer, Pateidl, Strauss.

**Planning Staff in Attendance:** Andrew Hall, Assistant City Attorney, David Ley, Public Works; Ricky Sanchez, Planner; Jessica Schuller, Planner; Richard Coleman, Community Development; Mark Klein, Planning; Brian Anderson, Parks and Recreation

**Visitors in attendance:** Kevin Jeffries, Leawood Chamber; Bob Regnier, resident

Chairman Elkins: Welcome. Mark, could you give us a brief overview of the agenda in total, and then take off where you want to take off.

Mr. Klein: Our first agenda item is an Annual Report with regard to Self-Propelled Leawood. That is the Bike/Pedestrian Master Plan for the city. Brian will talk about that to lead off the meeting. After that, we would like to talk about the Comprehensive Plan, specifically related to different areas on the map that we're proposing to change. As I stated in a memo, we changed the format quite a bit from the last time. The text portion has not been updated because we don't get numbers until September 13<sup>th</sup>. We will have another Planning Commission meeting to discuss the Comprehensive Plan. We won't really bring this forward to the Planning Commission until the October meeting. After that, we would like to go into a couple LDO amendments we are considering. One has to do with automated bank tellers; the other has to do with auto wholesale, with the business done primarily on the phone and internet with no onsite storage of vehicles. The LDO doesn't really speak to it.

Chairman Elkins: For those who don't regularly participate in the activities, the review of the Comprehensive Plan is one of the few statutory obligations we have as a commission, so it is beyond just the LDO. We'll talk about Self-Propelled Leawood in response to a request that staff report to us on at least an annual basis as to our progress.

### **Self-Propelled Leawood**

Mr. Anderson: Thank you for allowing me time to give an update. I think it is helpful to keep the plan moving forward. The spreadsheet shows every route. The map is color coded and will refer to the spreadsheet. There is an even distribution of roads throughout the community that link to routes crossing town east to west and north to south. We are

trying to get people to ride bikes or walk to shopping centers, libraries, parks, and places of that nature. The busier streets have bike lanes. The streets could also have shared-use paths on one side of the street. The bike boulevards go into receptor streets in subdivisions. They are less busy have and have a slower speed. They tend to meander a bit more. They may not be the most direct route across town but will still get there.

There are three different types of bicycle infrastructure that could go into making a bike route. One of them is bike lanes. Another is a bike route that uses signs or sharrows (traffic paint in the middle of the street). The third is shared-use paths or trails. Any of the bike routes may or may not have a combination of these methods. We have plotted in, to the best of our ability, where we think these road projects will fall into the long-range planning. A lot of the mileages are the same. This year, we are going to sign or sharrow Lee Boulevard from 103<sup>rd</sup> Street, over I-435, into City Park. In 2019, the plan would be to do the first phase of adding bike lanes on Lee Boulevard from 103<sup>rd</sup> to 95<sup>th</sup>. The following year will go from 103<sup>rd</sup> to Somerset. We will do that this year. We probably have ¼ mile done by the developer for the housing development with the bridge that was unconnected for a long time. Sometimes, these little pieces are so important because if there is a break in the system, it can't be used. We were also planning on doing Mission Road from 119<sup>th</sup> to 127<sup>th</sup> with bike lanes. That was in the plan for this year; however, that was tied to storm sewer work and curb replacement. The bid just came in higher than expected, so we are moving the project back a year. When that is done, the bike lanes from 123<sup>rd</sup> to 127<sup>th</sup> would be connected. We also had to move back timing for the rest of Mission Road by one year.

Mr. Ley: They will be constructed in 2022 and 2024. They're typically one-year projects.

Mr. Anderson: We have also finished the north loop. Aside from having a bike route system, this plan also is intended to encourage people to try biking more frequently. An encouragement effort that was recommended was the idea of these recreational loops. Two came out of the Master Plan: a north loop and a south loop. We got funding approved, and we have installed the wayfinding signage on the north loop. This is a recreational ride that will take a bike rider through residential streets with low traffic, low speed, and an easy-to-follow route. Up north, there are a lot of cul-de-sacs, and it is easy to get lost. This starts at City Park and will loop around 105<sup>th</sup> Street, coming back to City Park. Since we got this done, I have checked the route every week to gauge if it is being used. I see bike riders on it, and I am going during off-peak time. I always see at least 2-3 groups of people. Others are reporting it being used regularly. This is a low-stress, easy way to get an 11-mile loop in. The loop itself is not necessarily all on some of these colored bike routes. The loop is on more streets than just the bicycling network. We have signed 5 ½ more miles in the bike system in this last year.

Comm. Coleman: How do you get across busy streets like 103<sup>rd</sup>?

Mr. Anderson: There is a sidewalk on all the busier streets. A cyclist could always ride the sidewalk to get closer to the crossing instead of riding on 103<sup>rd</sup>. There is also a lighted crosswalk on 103<sup>rd</sup>. There is not one on 95<sup>th</sup> Street. Other busy streets are 89<sup>th</sup> and 83<sup>rd</sup>.

We have an interlope agreement with Overland Park. We did a kickoff bike ride at a new event called Stride and Ride. It was a brand-new transportation-themed event in City Park. We had our inaugural kickoff ride of the north loop. The traffic engineer from Overland Park rode the loop that day. With the signs, we were worried about complaints, and we had a few initially. We were able to go through the route. We took down some signs that were more of a confirmation. They were not necessary, and we took some down. We repositioned other signs so they would be easier to see. Since then, we have not had more complaints. We moved some signs, and we had a call from someone worried we were taking them down.

Looking forward to next year, we did a budget request for the south loop, which was a larger loop in the bike plan. It went all the way south to 148<sup>th</sup> Street, and it put the riders out on Mission Road at the bottom of a big hill. We don't have a trail out there. We were concerned about that. The ultimate south loop may need to wait until that road can get improved. In the meantime, we thought we could do an initial phase of the south loop, using what the consultants came up with and making some adjustments that make sense for us. We would use 133<sup>rd</sup> street as a complete street with bike lanes and a trail on it. It also has a park on it with a rest stop. It would be 11.3 miles, starting in the same location but heading south. It will follow the trail system all the way over to Roe, coming out on 124<sup>th</sup>. Again, we're guiding cyclists on trails or residential streets. The busiest street is 133<sup>rd</sup> Street. We have bike lanes and a trail. Cyclists come out across 119<sup>th</sup> Street or across a lighted crosswalk nearby. It comes up through Brookwood and out to College. This trail would allow recreational riding for a little over 22 miles on quiet residential streets. It is a good way for people to learn about it and take some of the bike traffic off busy streets. During Bike Week, we had breakfast stops in different locations. We did one at Mission Farms. There were a lot of cyclists coming to work. They saw signs at the north loop and were asking about it. They were positive about it. That is my update. I'm happy to answer any questions.

Comm. Pateidl: I have a question that goes back to an issue I raised when we started looking at this bike path situation, dealing with awareness of traffic rules and regulations. Invariably, when I'm out driving around and run into some bikers, they're running stop signs and turning on red lights. They're violating traffic laws. We had a member of the police force here, and I asked if they ever enforced those laws. They said that it's just not fair because the fines are so big for a bike compared to a car. This is true enough, but it still is an issue of a violation of a traffic law. We're inviting the general public to come in and use our streets. I'm just wondering if, in conjunction with this, there is any consideration going on to establish rules of the road as far as the bikes are concerned that are enforced by the police. Sooner or later, we're going to kill somebody.

Mr. Anderson: Enforcement is one of the five "E's" that are built into being recognized as a bicycle friendly community. It is a program from the League of American Bicyclists. It includes Engineering, Enforcement, Encouragement, Education, and Evaluation the system. If we want to go down the path of applying the bike friendly community, we need to do things in all of those categories. Education is one of those things that we have talked about and have tried to decide how we can get adults to come to a class where they are taught how to ride a bicycle legally. It is hard to get people to sign up for those. We

have tried to offer them. We didn't get many people signing up for them. It is a hard topic for people to want to sign up and do.

Comm. Pateidl: I think you have to go to your cycling clubs to at least begin the process.

Mr. Anderson: At the Stride and Ride event we had, the police department and Bike Walk KC helped with the event. The activities we had at that event taught bike skills to children. The police were there, and we had a course set up showing how to ride, how to signal, how to stop, how to brake, and how to bike properly. Our bike ride of the north loop was police escorted. They made everybody signal. We stopped at every stop sign. It was legal. We followed bike etiquette. In fact, some of the attendants made comments that they thought it was a good thing that they all rode like that and police were enforcing the signal correctly.

Comm. Pateidl: I'll grant you the education part has to be very difficult. You have to get buy-in from the people who are enthusiasts for it to get it to work. I question whether or not our police force is committed to the issue of enforcement. As far as the drivers are concerned, we have rights, too. That part concerns me. The more we invite them in, the more situations we're going to have. If we don't attend to that, it's going to get to a point where somebody gets hurt.

Mr. Anderson: The enforcement component of the application for that bike friendly community review includes questions like what kind of training the law enforcement officers have in enforcing bike laws. They want to know how many tickets we've issued for bike riders and also motorists.

Comm. Pateidl: I don't think we have bike laws.

Mr. Anderson: We do. Cyclists are allowed to ride two abreast. They're supposed to get over to the side as reasonably as possible to allow people to pass. They are supposed to have lights at night, a reflector on the rear of the bicycle, and a lit headlight that is visible from 300 yards.

Comm. Pateidl: Do we actually have ordinances to that effect?

Mr. Anderson: It is state law.

Comm. Pateidl: What we're doing is training for enforcement.

Comm. Strauss: That leads to my question on the promotion of the system. When we're doing that, we could include the rules of the road on our website. How do we promote the north loop and future south loop?

Mr. Anderson: That is something we're working on. We want the north loop to be posted on the website as an activity. We could have bike education listed there. We will build a kiosk trail head at City Park that will be a kickoff. There is a sign with a map of the loop.

It talks about its purpose. All of the Johnson County bike maps and Mid America Regional Council bike maps all have that kind of safe-riding information on them.

Comm. Strauss: You might also think about coordinating and letting all the HOAs know because it probably goes through every neighborhood the way it's laid out. I'm just thinking of letting people know. One good thing is signs in the neighborhood letting people know. What percent of the system is built? Is it 70%?

Mr. Anderson: Last year when I was here, we had 20% of it done. This year, it is bumped up to 27.6%. We've gone up a little bit here. In the next few years, we'll see a lot more. When the arterial streets start getting bike lanes on them and we start getting stuff completed is when I would really like to look at reapplying as a bike friendly community. One element we always lacked was infrastructure and the percent that the system is in. Engineering is a big part of it. Another equally big part is the programs: education efforts, special events, and law enforcement involvement. The engineering is a big part of it.

Comm. Strauss: One thing to consider including in the annual report next year is to take the map you had before, grey-out the routes, and color in the ones so we can see the increase. Then, we'll have a visual with the missing links.

Mr. Anderson: That's a great idea. Also, at the Bike Committee level, we have talked about potential confusion. The streets are there, but maybe it's not a special sign; maybe it is more of a traditional simple sign. When cyclists near an area where there is something special like a library, there would be an informational plate that says, "Library, ¼ mile." We are still discussing that. We are all worried about too much sign pollution.

Chairman Elkins: With respect to construction of the infrastructure, are you dependent upon the Capital Improvement Plan [CIP] and the Street Improvement Program to get that done? Where part of our CIP intersects with your bike plan is where you get the work done, so you're kind of at the mercy of street planning.

Mr. Anderson: Exactly.

Chairman Elkins: Is it hard to plan, then? Do you have any sort of prediction about when you're going to be 75% or 100% done?

Mr. Anderson: We are looking at total miles by 2022, for example, as half done at the rate we're going.

Chairman Elkins: The engineering you're talking about is just always a part of the CIP program, right?

Mr. Anderson: It is for these bike lanes. Lee Boulevard will have to be widened 1-2' here or there and make the lanes smaller.

Chairman Elkins: Is that a precondition to the sharrows?

Mr. Anderson: The sharrows are something that we can evaluate when we mill and overlay the street.

Mr. Ley: We're trying to develop a five-year mill and overlay program. At that time, we'll go through the neighborhood and look at doing the striping within the neighborhoods. At this point, we're year-to-year on the mill and overlay. The sharrows will be put in this year because we're doing a mill and overlay on Lee Boulevard south of 103<sup>rd</sup> Street.

Comm. Elkins: What is involved other than paint when creating a sharrow?

Mr. Ley: That's it. We just tell the contractor where to put them.

Chairman Elkins: Those will still be paid out of the CIP.

Mr. Ley: Out of the street budget.

Chairman Elkins: I'm curious about how we publish it. How available are the Johnson County Bike Maps? Are they on the city's website? Are there places in City Hall where the maps go? What have we really done to publish this?

Mr. Anderson: All the maps I talked about are downstairs. We may even have them right here at the front counter. I know we've posted Self-Propelled Leawood on the city website. Mid America Regional Council [MARC] has all our plans, and they know about our north loop. I Walk KC is a nonprofit that promotes pedestrian facilities in the Kansas City region. They have social media, and they put out information about the north loop and events that we are doing. We have Facebook and Twitter that we use to promote things like this.

Chairman Elkins: I really like the idea of a kiosk at City Park and other places. That will be helpful. I may be incorrect about this, but I have a vague recollection that we had at least one developer in the last year or so push back. It was the school district, which I thought was ironic, but they were pushing back on some of the work they wanted to do with the bike trails that would go through there. Have you gotten pushback from developers?

Mr. Anderson: I don't really know that we've had that many opportunities to deal with developers yet. The biggest one was the school. We had some conversations with them afterwards. I reinforced this. The school district told me that their normal practice is they support the cities with their trails and infrastructure that has to be on school grounds, but they typically don't pay for it. They grant the easements, and they permit the trails to go through. That is why they were balking about the trail.

Mr. Coleman: It was already there.

Chairman Elkins: They wanted to take it out, as I recall.

Mr. Anderson: They weren't aware of the importance of that trail.

Chairman Elkins: The last question I had is probably more rhetorical. During summertime, I can go down Mission or Roe and see serious bicyclists. I can't remember what you call a pack of bicyclists.

Mr. Anderson: Peloton

Chairman Elkins: There is a peloton going down the street. It's a bit disquieting, but they don't always abide by the two-wide guidelines. This Self-Propelled Leawood really isn't conducive to the kind of riding they want to do, is it?

Mr. Anderson: Right.

Chairman Elkins: Is it a problem, or is it just me?

Mr. Anderson: That many riders are not going to want to ride in a bike lane; they'll take the lane. They've been able to do it because there aren't a lot of streets that have bike lanes on them. I think if we have that many riders, it is unfortunate.

Chairman Elkins: If there are 20-30, they will take up the whole lane. I understand their mindset, but it is difficult for drivers to go into the oncoming lane and pass them. There is a conflict.

Mr. Anderson: When they're riding like that, they should exhibit good behavior or thin out and let the cars go by.

Chairman Elkins: It may go back to Jim's point on enforcement. On the other hand, we don't want to get the reputation as the city being anti-bicycle, either. While it frustrates me at times, I also think it's kind of cool that they're riding through.

Mr. Anderson: Those kinds of rides normally happen in the morning or on the weekend. There's usually a ride that will come through at 6:00 or 7:00. Tomahawk Creek Parkway is one of the most popular bicycle-riding routes in our metro area. It's flat. It has four lanes, so they can all take up a lane, and cars can still get by them. That is why it is such a popular place to ride. In 2017, we did an event, and we closed Tomahawk Creek Parkway for the day. We had a bike race out there. It was a pretty well-attended event. It was Labor Day weekend, and we probably had 150 racers. These are people that race bicycles that came that day. It's a popular street.

Chairman Elkins: Any other questions for Brian? Thank you.

## **City of Leawood Comprehensive Plan**

Mr. Klein: The section we would like to concentrate on tonight is the one with the Comprehensive Plan Map that shows uses in different parts of the city and what the city would like to see within those areas. We'd like to go through a number of areas and changes in the document. Some are fairly minor; others are more of a change. The first that we'd like to talk about is at 9617 Lee Boulevard, where the fire station is located. The existing fire station will be torn down, and the northern portion will be a public park. We would like to propose Open Space Public for that park to reflect the plans. The southern half would remain Public with the Fire Station.

Chairman Elkins: Would we need to rezone them at the same time, or would we just show it on the plan and not rezone it?

Mr. Klein: When they come in with a project that is when we rezone. I think it also needs to be replatted.

Comm. Strauss: What date was that in the CIP?

Mr. Coleman: 2019. The tower will come down next summer.

Mr. Klein: The next change has to do with the Johnson County Wastewater plant. As you know, it came to Planning Commission and City Council with a replat and a little bit of a land exchange between the city and Johnson County Wastewater. We want to reflect the change to that plat to reflect existing conditions.

The next change has to do with a piece of property near Hallbrook Country Club. Currently, there is some existing office development. Since there are no other uses in the area, it seemed to make sense to designate the area south of College Boulevard as Office as opposed to the current designation of Mixed Use.

Chairman Elkins: It strikes me that a few years ago, when there was some sort of development, we had a lot of citizen interest in traffic along there.

Mr. Klein: Yes, and a lot of the traffic on Overbrook was the topic of discussion.

Chairman Elkins: Would this have an impact on the traffic pattern there?

Mr. Klein: I don't think so. There is an entrance to State Line Road, where most of the traffic should go.

Mr. Coleman: It will only have two access points: one off State Line and one off College Boulevard.

Chairman Elkins: What about the piece that is marked Mixed Use north of College Boulevard?

Mr. Coleman: That is another Hallbrook property that we've discussed with them. They indicated they were interested in a Mixed Use development. I don't know if you recall,

but they transferred 8 acres to the Parks Department, but the land configuration of that donation will be counted in the Floor Area Ratio for some future development. They won't lose any of their development rights for donating that park land.

Comm. Pateidl: Is the piece large enough to be Mixed Use?

Mr. Coleman: It's a pretty good size, and the configuration works, too. It's more than 10 acres. It is well situation for having structured parking off College.

Comm. Pateidl: It just seems that it is close to that office complex and would be more of a site for more office buildings. I don't see a lot of walkability from rooftops around there to make that a viable Mixed Use.

Mr. Coleman: It would, perhaps, have its own housing involved in it.

Comm. Pateidl: It takes rooftops to make Retail work.

Mr. Coleman: It is probably minimum Retail, maximum Office and Residential.

Mr. Klein: The next area we would like to discuss is at 133<sup>rd</sup> Street near the Village of Seville. We are designating the micro-hospital that was approved and has been constructed. We have added a hospital symbol to it as well.

Mr. Coleman: It is a very nice hospital.

Comm. Belzer: It is.

Comm. Hoyt: I haven't been there, but I've had so many people tell me that it's fabulous.

Mr. Coleman: It's a good place.

Mr. Klein: At 137<sup>th</sup> Street and Kenneth Road, we haven't changed the alignment. We are trying to do better graphics and better programs. It is jagged, but it is still tying in generally to the same area. There is right-of-way, and the street is never going to happen. We will remove it as well. Near 143<sup>rd</sup> Street and Kenneth Road is the Public Works facility. In addition to that, the city is also in the process of purchasing some property for the new Parks Department since the old one got flooded. This is where we thought it would move. There are a couple parcels north of the Public Works facility.

Mr. Coleman: It will be the new Parks Maintenance facility. It will be right next to the current Public Works.

Comm. Belzer: Is that Ironwood?

Mr. Coleman: It is right at State Line and Kenneth.

Mr. Klein: The next one we would like to discuss is located at 152st Street and Mission Road. We were showing a previous alignment from an old subdivision; however, since we've had approval of The Hills of Leawood, which is a residential subdivision, we thought we'd place that in there.

Comm. Strauss: Is Barstow looking at the old HyVee?

Mr. Coleman: Yes.

Comm. Strauss: When they come in, would that use have to be changed? It's Commercial. Would it be changed to Public?

Mr. Klein: Actually, Public isn't a zoning district; it is a use that is shown as a general use on the Comprehensive Plan. A school is allowed to go into all the different zoning districts with a Special Use Permit.

Mr. Coleman: If it goes, we'll put a school symbol on it.

Comm. Strauss: You don't have to change the Commercial aspect; okay.

Comm. Pateidl: I was looking for schools. Here I am, a family moving to the Kansas City area, and I'm looking for schools. This blue on blue is really hard to see.

Mr. Coleman: We can change that to black. That's a good point.

Comm. Pateidl: The same is true for the fire trucks.

Mr. Coleman: Maybe we'll use a flame.

Mr. Klein: The rest of the plan doesn't have any proposed changes.

Chairman Elkins: Mark, I'm always fascinated by Historic Districts. We've talked about Historic District 1 and 2. I don't remember the Lee Farmhouse Road Historic District. I'm sure it's been there for a while. Can you tell us a bit more about that?

Mr. Klein: The city actually has Historic Districts. These are local. They aren't part of the National Register of Historic Districts. There aren't rules that guide or limit us as far as the type of development.

Mr. Coleman: There is one historic thing we will add, which is the Santa Fe Three Trails designation. The National Trails Service is finalizing their draft for the area, and Leawood is included in that. The auto route goes down 123<sup>rd</sup> Street and then down Mission Road. There is another trail one that goes down 123<sup>rd</sup> and also onto the park trail system that goes along Tomahawk Creek. The trails actually crossed at Mission Trail Elementary. They were probably half a mile apart.

Comm. Hoyt: There are signs up currently.

Mr. Coleman: There are signs. Somebody from either the National Park Service or MARC will probably come to do the resolution at the Governing Body meeting.

Chairman Elkins: What will the significance of that be, relative to land use?

Mr. Coleman: I think it's more of a historic opportunity for landowners where the trail crosses their property. It doesn't have any land use or financial impact on them at all. It's an opportunity, actually, for people to use that history to their advantage.

Chairman Elkins: There are no restrictions?

Mr. Coleman: None whatsoever.

Chairman Elkins: You've told me there is no significance to any of the districts. Why do it? I think it's neat, but what's the utility of doing it?

Mr. Coleman: Usually, it's a first step to looking at the possibility of a nationally recognized district. All of them are old enough to qualify. I don't know if the Leawood Historic Commission wants to go through that process or not.

Chairman Elkins: If they got that designation, it would have a significant impact on homeowners and what they could do with their property going forward.

Mr. Coleman: It can. That may be why the commission is not that interested in it.

Chairman Elkins: Would it be something that would come through this commission for comment?

Mr. Coleman: It probably would.

Chairman Elkins: Is there a place we could go to find out about what the history is for any of this?

Mr. Coleman: Actually, I think you can find them on our website.

Mr. Klein: I can check with the Historic Commission and see what I can get for you.

Mr. Coleman: One is the old Kroh district.

Chairman Elkins: We've had discussions over the years. Some people view the importance of keeping the prairie.

Mr. Coleman: Some people don't think it's important at all; some people do. It's one of those things that is always up for discussion.

Comm. Coleman: The City of Kansas City, Missouri does a nice job of identifying the trails on their side with New Santa Fe near the cemetery, and then toward the Blue River and the swales. It kind of falls off the cliff on the Kansas side.

Mr. Coleman: A lot of that is the National Parks Service designation for those trails and not necessarily the city, though, New Santa Fe is a Kansas City, Missouri thing. They're putting it together and expanding across the country. We have signs up right now, and there will probably be some more designation. I think a good thing would be if the school district took up the cause for Mission Trail Elementary and did something there that highlighted even more the fact that the trail actually went right through there. Sharp's Farm is right there, too.

Comm. Hoyt: It's amazing how many signs there are that designate those trails. It's around Mission Trail School and the streets off that, too. I drive there all the time and never notice the signs, but if you look for them, you'll see many.

Mr. Coleman: You have to remember that we're not very wide as a community. We have a couple trails that go through the city, and that's it.

Comm. Coleman: I'd love to hear the story how we have these little cuts in our western border.

Mr. Coleman: That's dealing with Overland Park.

Comm. Coleman: I assumed that. I'm sure there's a good story; I just don't know it.

Mr. Coleman: Part of it probably had something to do with when Kroh Brothers bought the property. The little section that is cut out may not have been available to be purchased at the time.

Mr. Klein: Are there other questions?

Comm. Block: Do you mark the golf course or parks? If you mark all the churches, why don't you mark those, too?

Mr. Coleman: That's a good observation.

Comm. Block: The Public Works looks like a firetruck. Is that the best icon you could find?

Mr. Klein: We can look for another one.

Comm. Coleman: Will this be on the website?

Mr. Klein: Eventually. This will be an updated version of the map.

Mr. Coleman: You have our draft copy of the Comprehensive Plan. You'll notice a big upgrade in the graphics we're trying to do, and that's due to Ricky and Jessica. It's much more readable.

Chairman Elkins: Will we have another work session once the edits come in?

Mr. Coleman: We'll have one more meeting on it. We have increased in population a little bit. We're at 34,000 or so.

Comm. Strauss: Are you taking comments on the plan?

Mr. Klein: We'll have another work session on the text portion of the plan. Like I said, the text in this has not changed from the current version.

Comm. Strauss: First, I want to say this is a lot more readable than in the past. I think you did a great job of making this more readable. One thing that I would love to see that I think I've mentioned before is I know Overland Park, Lenexa, and Olathe do surveys of residents. They hire a firm to ask people what they like best and what needs to be improved. I'd love for that to be a part of the Comprehensive Plan. This has a lot of good facts in it with how we're growing, where people are worshipping and things like that. I would love for it to be community opinions about the direction Leawood is going. Being a smaller community, I could see doing it every 3-5 years; whereas, I think the bigger cities do it annually.

Comm. Block: Isn't that for communities that are still growing? I mean, the development is almost done.

Mr. Coleman: I'll talk to the City Manager and see where we want to go with that. I know we do some questionnaires. Parks and Recreation does a questionnaire about park issues. We can ask.

Comm. Belzer: I like that.

Mr. Klein: The next thing we would like to talk to you about is two LDO amendments we are considering. Currently, the LDO's definition of automated teller machines [ATM] is only located in the Definitions section and nowhere else. It is a very general definition: "A machine or device for the dispensing or collecting of cash and of other banking activities by the customer without an attendant." Typically, we see these as part of the banking operations on the same site. They might be in the drive-through or within the façade of the bank building. The city doesn't address ATMs that are inside stores. One thing that we have not allowed in the past is freestanding ATMs or vending machines. A convenience store will often have an ATM and a couple vending machines in front of the store. The city has never allowed that. We are considering allowing an ATM that is not

on the bank property but may be located in a shopping development. Rather than allowing a freestanding ATM, I think we would like to propose an ATM that is located within the façade of the building. This won't block pedestrian sidewalks.

Comm. Hunter: What kind of building would you anticipate wanting one of these?

Mr. Klein: For instance, at Park Place, there are via that provide access from the parking garages to the interior. This would allow an ATM in that area. If there is a recessed area in the building, there would be an opportunity for one there as well.

Comm. Coleman: I would think ATMs are eventually going to die out with this becoming a cashless society. I don't see this huge influx. I think it would be a shrinking thing.

Mr. Klein: It doesn't seem like you see as many of them.

Mr. Coleman: My bank has gotten rid of theirs.

Comm. Block: Mark, you're talking about a freestanding machine on a sidewalk instead of incorporating it into the wall and not on the sidewalk.

Mr. Klein: We are thinking about not allowing the freestanding ones but to allow them on a building façade.

Comm. Block: What about an ATM on an island in a parking lot? Should that be contemplated with this?

Mr. Coleman: I think people might want to do that, but legally, we've not supported outside vending machines.

Comm. Block: If we're going to make this change, should we put it in this? Where have they not been allowed in the past?

Mr. Coleman: Anywhere. It's not a permitted use in the ordinance.

Comm. Block: They must be mentioned somewhere else in the ordinance.

Mr. Klein: Right now, we just have the ATM as an accessory to the bank itself.

Mr. Coleman: Usually, they're in drive-throughs.

Mr. Hall: The ordinance is designed in such a way that any use that is not expressly permitted is prohibited. As it stands now, ATMs are a prohibited use by virtue of the fact they're not mentioned.

Mr. Coleman: I don't know how much demand there will be for them.

Comm. Block: I just didn't know if it should be added.

Mr. Coleman: I know grocery stores have wanted outdoor vending, and it's been prohibited. Redbox is all over in my neighborhood; they are prohibited on the exterior in Leawood.

Comm. Pateidl: I'm thinking about Park Place and that public square area. A freestanding ATM is a target, but what do we care about a target? If the developer can make sense of it for the development and we can put restrictions on it, what is the reason for not doing it?

Mr. Coleman: Part of it is that we would really have to go to extraordinary length to try to tailor the ordinance to just restrict it to that; otherwise, people could want it at every shopping center.

Comm. Pateidl: If it's done tastefully within the confines of the building, we could leave it up to the developer.

Mr. Coleman: I think that is the reason we have never allowed it in the past. We want to avoid the proliferation of vending machines outside.

Comm. Pateidl: The justification that we've never allowed it in the past is not forward thinking in my mind.

Mr. Coleman: It is not forward thinking, but it is thinking about why the city prohibited it in the first place. I don't think it was an oversight.

Comm. Hunter: Why did this come up? Did it come up because it's not already mentioned in the ordinance?

Mr. Klein: Somebody approached the city about adding an ATM.

Mr. Coleman: We were looking for a middle ground that would allow it but not allow freestanding. The city didn't want outside vending and freestanding machines.

Comm. Pateidl: I don't disagree with that at all as far as vending machines are concerned. I can appreciate the fact that this is on the verge of that; although, it's more of a financial instrument than entertainment, food, or beverage.

Chairman Elkins: I've never thought about this before tonight. Do we have any regulation over vehicle charging stations?

Mr. Klein: We do have vehicle charging stations. I think it's the Public Utility section that speaks to vehicle charging stations. It regulates size and signage.

Chairman Elkins: Can they be located on a standalone basis in the middle of the shopping center parking lot?

Mr. Klein: I think part of that is it's serving a vehicle.

Chairman Elkins: What is the difference between that and a vending machine? Isn't that essentially a vending machine for electricity?

Mr. Klein: I think the city is trying to promote sustainability with the charging stations. As far as vending machines and ATMs, the city has leaned away from freestanding. We do have landscaping requirements around the charging stations. Part of what the city is concerned about is a situation with different businesses that would want something in front of them. Like Richard said, it is very difficult to say that one is allowed and another is not. We are supposed to treat people equally. We could do a Special Use Permit or something like that, but there is still a situation with defining objective parameters. Any time there is a freestanding box with ground-mounted utilities, we require an extensive amount of landscaping.

Chairman Elkins: I'm not objecting to the charging stations. I also intuitively agree with the idea of not having vending machines as an appropriate or permitted use. I'm trying to get in my head what the difference is between the two. Is it an aesthetic difference? Maybe it's a policy perspective that we want to encourage the green aspect, like cars. I'm trying to determine what it is we find offensive about the vending machines and how it is different than what we would face with a charging station. We can require the same landscaping around a vending machine, so it can't be that. I know I'm talking in circles, but they seem to be very similar uses between an ATM, a vending machine, and an electric charging station; yet, we seem to be fine with electric charging stations. We don't seem to be fine with vending machines, and it's questionable that we're leaning the same way with respect to ATMs.

Mr. Klein: With electric charging stations, we have a Sustainability Board. This is something the city has expressed interest in as well as rain gardens and different things that enhance the environment. As a use itself, the electric charging stations are promoted by the city to fulfill that goal; whereas, the vending machines are not. They don't seem as popular as they were before. We would still like to provide the use but avoid the situations when sidewalks could be obstructed. If they are up against a building, there is no room for landscaping. A charging station in the island would have room for screening. We wouldn't want to screen it completely because we want people to use it.

Comm. Strauss: I think it might have started out as a safety issue. ATMs in the store or physically on the wall are safer than freestanding. With the exchange of money, there is a safety aspect. The vending might be the same issue with the possibility that people could break in. Obviously, electric charging stations are a new technology that weren't considered five years ago. There's no exchange of money, so I think it is a little different. It has evolved over the years. I don't think what is happening now is the same thing that was considered 20 years ago with ATMs and vending machines.

Chairman Elkins: Next?

Mr. Klein: The next item deals with automobile wholesale with no onsite vehicles. The LDO has wholesale establishments as a general definition. It is only allowed in the BP District. However, we have been approached a number of times, and it seems as if it is becoming more and more popular. Again, with technology and the Internet, people basically have an office to perform the transactions, and the vehicles are never coming to the site. We would like to introduce a use within the Table of Uses that would address this and to allow it within SD-CR [Planned General Retail]. Really, they are operating much like a business office.

Comm. Pateidl: Is this Carvana, as an example?

Mr. Klein: I don't know.

Comm. Strauss: It doesn't have to be a wholesaler. Tesla sells their cars in a storefront?

Mr. Coleman: It is similar to that, but I guess the cars are really just a display for them. These are mostly truck sales.

Comm. Strauss: Do we want to broaden it?

Mr. Coleman: Right now, it is a bit of a grey area with the zoning.

Comm. Block: Does it only have to do with them getting their business license since they have "wholesaler" in their name?

Mr. Coleman: They have to get zoning certification from us.

Comm. Block: Because "Wholesale" is the name of their business.

Mr. Coleman: Correct, and our LDO basically says it can't be done.

Comm. Block: But they're just like an accounting firm or any other business.

Mr. Coleman: There's no inventory onsite.

Comm. Block: But they're unfairly being excluded because they have "wholesale" in the name of their business.

Mr. Coleman: We have to do a special thing.

Mr. Klein: That's all we had tonight. We may come talk about a couple other LDO amendments. One is with regard to fencing. Currently, we have some fencing, and there

is a question as to whether it would be allowed across a platted build line. There may be certain situations in which this probably should be allowed.

Mr. Coleman: As you know, fences are complicated.

Chairman Elkins: My favorite topic after signs and cell phone towers.

Mr. Klein: Like I said, we do plan on having another work session on the Comprehensive Plan to focus more on the text.

*MEETING ADJOURNED*