

**City of Leawood
Planning Commission Meeting
August 28, 2018
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: Hunter, Belzer, Hoyt, Pateidl, Elkins, Strauss, Coleman, Block, and Stevens

Chairman Elkins: Chair would note for the record that we welcome Commissioner Mandy Hunter, who is joining us for the first time formally tonight. Welcome to the commission.

Comm. Hunter: Thank you.

Chairman Elkins: Ms. Hunter's appointment by the Mayor was approved by Governing Body on July 16th, and she has taken the Oath of Office and is properly seated with the commission. With that, we'll move on to the agenda. There is a new agenda. Mr. Klein, do you care to enlighten us as to the difference?

APPROVAL OF THE AGENDA

Mr. Klein: The difference is that there were 3 LDO amendments regarding the automatic bank teller machines. We pulled those off for notification purposes. You will probably see those in the next Planning Commission meeting. The revised agenda was posted on the Internet as soon as it was made.

Chairman Elkins: Are there any additional questions or revisions?

A motion to approve the agenda was made by Hoyt; seconded by Pateidl. Motion carried with a unanimous vote of 8-0. For: Hunter, Belzer, Hoyt, Pateidl, Strauss, Coleman, Block, and Stevens.

APPROVAL OF MINUTES: Approval of the minutes from the July 24, 2018 Planning Commission meeting and the August 14, 2018 Planning Commission work session.

A motion to approve the minutes from the July 24, 2018 Planning Commission meeting was made by Hoyt; seconded by Belzer. Motion carried with a unanimous vote of 8-0. For: Hunter, Belzer, Hoyt, Pateidl, Strauss, Coleman, Block, and Stevens.

Chairman Elkins: Are there any revisions or corrections to the August 14, 2018 minutes?

Comm. Coleman: On Page 2 near the bottom, instead of Mr. Coleman, it should be Commissioner Coleman.

Comm. Block: On Page 12, the second entry should be attributed to Commissioner Coleman, and then on the same page, the next 2 entries attributed to Mr. Block should be Commissioner Block.

A motion to approve the revised minutes from the August 14, 2018 Planning Commission work session was made by Belzer; seconded by Coleman. Motion carried with a unanimous vote of 8-0. For: Hunter, Belzer, Hoyt, Pateidl, Strauss, Coleman, Block, and Stevens.

CONTINUED TO THE SEPTEMBER 11, 2018 PLANNING COMMISSION MEETING:

CASE 71-18 – 135th STREET AND KENNETH ROAD – MIXED USE AND MEDIUM DENSITY RESIDENTIAL – Request for approval of a Rezoning from AG (Agricultural) to MXD) (Mixed Used Development) and RP-3 (Planned Cluster Attached Residential District), Special Use Permit for an Assisted Living Facility, Preliminary Plan, and Preliminary Plat, located south of 135th Street and west of Kenneth Road. **PUBLIC HEARING**

NEW BUSINESS:

CASE 100-18 – LEAWOOD PUBLIC WORKS MAINTENANCE FACILITY EXPANSION – Request for approval of a Revised Preliminary Plan, Revised Final Plan, and Revised Final Plat, located south of 143rd Street and east of Kenneth Road. **PUBLIC HEARING**

Staff Presentation:

City Planner Ricky Sanchez made the following presentation:

Mr. Sanchez: This is Case 100-18 – Leawood Public Works Maintenance Facility Expansion – Request for approval of a Preliminary Plan, Final Plan, and Final Plat. The property is located south of 143rd Street and east of Kenneth Road. The applicant is proposing the merging of five separate lots and previously dedicated right-of-way into a single lot. Also with this application is a 3,911' expansion of the existing maintenance facility to add two additional maintenance bays, the relocation of an oil/sand separator, and the striping of 22 parking spaces, two of which will be ADA compliant. The new plan is proposing two maintenance bays that will connect to the east of the existing structure. The oil/sand separator will be just east of the new expansion. Along with the expansion and relocation of the separator, the plan calls for 20 parking spaces to be striped at the eastern portion of the maintenance facility location. This area is

currently used as extra parking for the maintenance facility; however, it was never formally striped to do so, and that is what they are asking to do with this application. There will also be an addition of two ADA spaces along the west side of the existing maintenance facility. Just north of the proposed formal parking spaces will be a drive used to connect the eastern portion of the lot that will be used to access an existing milling area that is used for storage currently. This project meets all regulations per the Leawood Development Ordinance, and staff recommends approval of Case 100-18 with the stipulations in the Staff Report.

Chairman Elkins: Questions for Mr. Sanchez? Seeing none, I would look to the applicant.

Applicant Presentation:

David Ley, Director of Leawood Public Works, appeared before the Planning Commission and made the following comments:

Mr. Ley: I'll have the architect give a presentation shortly, but I just want to state that we are in agreement with all the stipulations.

Lonnie Shanks, 15105 Jowler Creek Road, Camden Pointe, MO, appeared before the Planning Commission and made the following comments:

Mr. Shanks: He did such a good job of describing the project that he leaves very little for me to walk you through, but I have it on the screen for you to see it. As he described, it's a two-bay addition to your current public maintenance facility to the east. All the color and material will match the existing building exactly. We will relay KB interceptor from its current location to the east of the facility to about 20' farther east to the new addition. There will be new parking added, and the grading wall will be redone so it will all flow into the caption basin as before. I also believe that the lighting around the building will be changed to all LED while we're there. All the lights have full cutoff, so they will not pour light onto the neighboring properties. That also goes with the light poles. That is really it.

Chairman Elkins: Any questions for Mr. Shank?

Comm. Strauss: Is any of this property in the floodplain?

Mr. Ley: A portion of the floodplain is where the creek is, so it's not on the buildings, but it is contained within the creek.

Comm. Stevens: You mentioned replacement of the new pole lights as well as replacing fixtures from the existing pole lights.

Mr. Shanks: There will be new pole lights on the east addition where the new parking is going to go. Those light heads will match the new light heads on the building.

Comm. Stevens: It looks like the stormwater for this new work, including the roofing, the new addition, and all the paved area is sheet drainage off the site to the northeast in the gravel drive area and to the south into the right-of-way of the property along Overland Park. Has there been a drainage study or engineering as part of that?

Mr. Ley: We do have existing Best Management Practices (BMPs) onsite. The north half of that new parking lot will actually drain north and then west into an inlet that gets captured, and then it treats the stormwater before discharging into the creek. On the southeast corner, it's going to drain into an open channel that will be vegetation.

Comm. Stevens: The curb cut is not there connecting the gravel area.

Mr. Ley: Where it's going from the parking lot to the storage area is a high point. The parking lot will drain west from that point.

Mr. Shanks: That part of the site actually is going to have the grade adjusted so more of the water will go into it.

Comm. Stevens: It looked like it was aimed toward that. As part of the stipulations, I noticed that, other than the KCP&L power lines, all the powers lines are to be buried within the property, but yet, there was discussion of the power line along Kenneth Road as a future project with Kenneth Road widening.

Mr. Ley: That is correct. When we do the widening along Kenneth Road, we will bury those power lines. Currently, we're going to be burying the power lines north of our property line along Kenneth Road up to 143rd Street and then all of 143rd Street with the 143rd Street project. The portion that is adjacent to our public works facility will be completed when Kenneth Road is widened.

Comm. Stevens: Is it in the right-of-way of Kenneth Road?

Mr. Ley: It is in the right-of-way.

Chairman Elkins: When is the Kenneth Road expansion scheduled?

Mr. Ley: It's probably going to be about 15 years. There are a couple of phases of Mission Road that come up first, and then we'll do 151st. Then, we'll come back around to Kenneth Road.

Chairman Elkins: It will be a while before those power lines get buried.

Mr. Ley: When we bury them, they will move to the west side of the street because there's a main gas line on the east side, and we can't bury the power lines within their easement.

Chairman Elkins: Additional questions for the applicant? With respect to this burying of the power lines, is the city looking for any treatment different than if we had a similar situation with a private developer making improvements to their property?

Mr. Coleman: In cases where there is just a small portion of overhead power lines on an arterial that we would normally want buried, we would often have a letter from the applicant saying they don't oppose a Benefit District in the future. The burial is when we are able to get all of them. In this case, since we already own the property and we'll be doing the work in the future, it's probably not necessary. We will bury them at that point.

Chairman Elkins: What about the treatment in terms of timing and whatnot?

Mr. Coleman: The treatment is the same.

Chairman Elkins: Other questions for the applicant? Because this is a request for a Plat, it requires a Public Hearing.

Public Hearing

As no one was present to speak, a motion to close the Public Hearing was made by Strauss; seconded by Coleman. Motion carried with a unanimous vote of 8-0. For: Hunter, Belzer, Hoyt, Pateidl, Strauss, Coleman, Block, and Stevens.

Chairman Elkins: That takes us to a discussion with respect to this application. Any comments from the commission with respect to Case 100-18? If not, a motion may be in order.

A motion to recommend approval of CASE 100-18 – LEAWOOD PUBLIC WORKS MAINTENANCE FACILITY EXPANSION – Request for approval of a Revised Preliminary Plan, Revised Final Plan, and Revised Final Plat, located south of 143rd Street and east of Kenneth Road – including 16 Staff Stipulations – was made by Hoyt; seconded by Strauss. Motion carried with a unanimous vote of 8-0. For: Hunter, Belzer, Hoyt, Pateidl, Strauss, Coleman, Block, and Stevens.

CASE 109-18 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-9-193, OFFICE, GENERAL – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to wholesale establishments without on-site inventory. **PUBLIC HEARING**

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 109-18 – Leawood Development Ordinance Amendment to Section 16-9-193, Office, General. This amendment has to do with wholesale that does not have onsite inventory. This is a subject that we covered at the August 14th work session as well. The city has been approached by a number of businesses lately that do most of their transactions over the phone or Internet. There really is no onsite inventory to speak of. It operates exactly as an office would. Currently, wholesale is limited to the Business Park (BP) district. In order to recognize the difference in impact between these two types of uses, it would be more appropriate to allow it under General Office, which would be allowed in SD-CR, SD-O, SD-NCR2, and SD-NCR. Staff is recommending approval of this amendment, and I'll be happy to answer any questions.

Chairman Elkins: Questions for Mr. Klein?

Comm. Coleman: What happens if someone works out of his home? How does that work with the ordinance?

Mr. Klein: The city actually has an ordinance with regard to home occupations. There are certain restrictions they must follow in order to be considered a home occupation. They can't have deliveries that would be beyond what the normal single-family house would have. They wouldn't be allowed to have signage. The uses are limited. As long as it fits within these criteria, it would be allowed to operate.

Chairman Elkins: Additional questions? Because this is an amendment to the LDO, I would open the Public Hearing.

Public Hearing

As no one was present to speak, a motion to close the Public Hearing was made by Coleman; seconded by Belzer. Motion carried with a unanimous vote of 8-0. For: Hunter, Belzer, Hoyt, Pateidl, Strauss, Coleman, Block, and Stevens.

Chairman Elkins: That takes us to a discussion of the proposed amendment to the Leawood Development Ordinance Amendment, Section 16-9-193. Are there any comments? If none, I would entertain a motion.

A motion to recommend approval of CASE 109-18 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-9-193, OFFICE, GENERAL – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to wholesale establishments without

on-site inventory – was made by Hoyt; seconded by Belzer. Motion carried with a unanimous vote of 8-0. For: Hunter, Belzer, Hoyt, Pateidl, Strauss, Coleman, Block, and Stevens.

MEETING ADJOURNED