
_In Chairman Elkins’ absence, Vice-Chairman Pateidl served as Chairman._

**APPROVAL OF THE AGENDA**

_Chairman Pateidl:_ I see we have some documents. Would you care to explain any changes?

_Mr. Klein:_ There are no changes to the agenda; however, there are documents concerning Case 107-18. When we get to that application, we can explain further.

_Chairman Pateidl:_ If there are no other changes, I would entertain a motion to approve.

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

**APPROVAL OF MINUTES:** Approval of the minutes from the August 28, 2018 Planning Commission meeting.

_Chairman Pateidl:_ Does anyone care to make corrections to the minutes? Seeing no changes, I would entertain a motion.

A motion to approve the minutes from the August 28, 2018 Planning Commission meeting was made by Hoyt; seconded by Belzer. Motion carried with a unanimous vote of 7-0. For: Hunter, Belzer, Hoyt, Strauss, Coleman, Block, and Stevens.

**CONSENT AGENDA:**

_Chairman Pateidl:_ Does anyone wish to pull this item for discussion? If not, I would entertain a motion.

CASE 110-18 – MHC FINANCIAL SERVICES – WALL SIGN – Request for approval of a Final Sign Plan, located south of College Boulevard and east of Roe Avenue.
A motion to approve the Consent Agenda was made by Coleman; seconded by Hoyt. Motion carried with a unanimous vote of 7-0. For: Hunter, Belzer, Hoyt, Strauss, Coleman, Block, and Stevens.

NEW BUSINESS:
CASE 105-18 – VILLAGE OF SEVILLE – WINDY CITY BAR & GRILL OUTDOOR PATIOS – Request for approval of a Final Plan – located north of 133rd Street and west of State Line Road.

Staff Presentation:
City Planner Jessica Schuller made the following presentation:

Ms. Schuller: This is Case 105-18 – Windy City Pub – Outdoor Patios – Request for approval of a Final Plan. Windy City Pub is located north of 133rd Street and west of State Line Road within the Village of Seville. The applicant is requesting approval of two exterior patios and patio furniture to be placed within gated patio areas. One patio is proposed on the east side of the building, which is adjacent to the main entrance. The other is proposed on the southern side of the building, which is adjacent to a drive that provides access to the rear of the building. Each patio is proposed to seat up to 18. There will be a combination of low- and high-top tables. The patios will require new pilaster in the corners in order to support the 4’ aluminum fence surrounding the patios. These will be faced in natural stone to match the existing façade within the Village of Seville. Staff has concerns regarding the southern patio location. This patio would require food and drink to be served out of the main entrance of the pub, as there is no direct doorway access onto the southern patio. Staff wishes to ensure the applicant complies with any alcohol beverage control standards that may exist regarding that. The southern patio location may also eliminate any future sidewalk connection along the south side of the building. Currently, the sidewalk stubs out near the eastern corner of the south side and does not connect across the southern end. The application is in compliance with the Leawood Development Ordinance (LDO), and staff recommends approval of Case 105-18 with the stipulations in the Staff Report.

Comm. Block: Does the callout for the front door need to be included as a stipulation, or is it enough just to include it in this report?

Ms. Schuller: We reached out to Alcohol Beverage Control (ABC) and didn’t get a response. We didn’t include a stipulation because we weren’t sure it was an issue, but it is something the applicant should be aware of.

Comm. Hoyt: You also mentioned a concern about the elimination of the sidewalk potential. Is it not a level of concern that would require a stipulation?

Mr. Klein: It is just to make the Planning Commission and Governing Body aware that the patio precludes future connection to the rear.
Chairman Pateidl: Are there any other questions? Would the applicant care to respond?

Applicant Presentation:
John Davidson, Davidson Architecture and Engineering, 4301 Indian Creek Parkway, appeared before the Planning Commission and made the following comments:

Mr. Davidson: I’m here on behalf of Mr. Withers, who is at his grand opening tonight. We agree with all of staff’s comments. The sidewalk in question leads to the back of the building into the trash dumpster. There is really no access needed, so we don’t see it as an issue, but we understand the concern. We also understand the concern about alcohol being served outside, and we will abide by whatever ABC requires. We’d be happy to answer any questions.

Chairman Pateidl: Are there any questions of the applicant? To be clear, you are in agreement with all six stipulations?

Mr. Davidson: We are.

Comm. Block: To serve the patio, there is a door that goes from the inside. Is there a secondary door coming from the private dining room that also accesses the patio?

Mr. Davidson: No; there is a gate that accesses it from the front of the building from the outside but not from the inside.

Chairman Pateidl: Are there other questions for the applicant? Is there discussion regarding the application? I would entertain a motion.

A motion to recommend approval of CASE 105-18 – VILLAGE OF SEVILLE – WINDY CITY BAR & GRILL OUTDOOR PATIOS – Request for approval of a Final Plan – located north of 133rd Street and west of State Line Road – with six stipulations - was made by Hoyt; seconded by Strauss. Motion carried with a unanimous vote of 7-0. For: Hunter, Belzer, Hoyt, Strauss, Coleman, Block, and Stevens.

CASE 106-18 – INDIAN CREEK ELECTRICAL SUBSTATION – Request for approval of a Final Plan, located south of I-435 and east of Mission Road.

Staff Presentation:
City Planner Ricky Sanchez made the following presentation:

Mr. Sanchez: This is Case 106-18 – Indian Creek Electrical Substation – Request for approval of a Final Plan, located south of I-435 and east of Mission Road. The applicant is requesting approval for a public utility facility to be operated by KCP&L, which will be located within the Johnson County Wastewater Treatment Facility. This facility was approved by the Governing Body on March 5, 2018. During the preliminary stages of the wastewater facility, it was noted that additional power was needed for the project
expansion. A Preliminary Plan and Special Use Permit were approved by the Governing Body for the substation on January 9, 2018. Three deviations were granted at that time during the preliminary phases of the project. The first deviation stated that the applicant would not have to bury the overhead wires for the substation. The second deviation allowed for an increase in height of structures that would allow for the project to go to 110’ at its highest point. The third deviation allowed for the 110’ tall structure to encroach into the side setback, so as not to create a need for an additional above-ground structures with a greater quantity of overhead electrical wires. The substation will be located where a detention pond is currently located and will be within the northeast section of the Johnson County Wastewater facility. The substation facility is approximately 340’x200’. The substation will contain a multitude of structures, ranging in height from 11’-90’ within the substation and 100’-110’ outside the substation. These structures are located on the northeast and northwest of the proposed substation. The substation will also be surrounded by an 8’ tall fence around their perimeter. The applicant is also proposing ten 18’ tall pole-mounted light fixtures within the substation that will be accessed by two gates on the west side, both 20’ in width. The project meets all regulations per the LDO, and staff recommends approval of Case 106-18 with the stipulations listed in the Staff Report. I’d be happy to answer any questions.

**Chairman Pateidl:** Are there questions?

**Comm. Strauss:** I meant to look it up, but the Fire Chief says that he approves the omission of the Knox Box. What is that?

**Mr. Klein:** It is a box that contains an access code to enter the gate. Often with private streets or private drives, a Knox Box is required to ensure emergency vehicle access. In this particular situation, since it had a lot of electrical equipment, the Fire Marshal decided it would be better to not require it because KCP&L could handle the emergency rather than endanger the firefighters.

**Comm. Strauss:** This is still secured, though?

**Mr. Klein:** This is secured, yes. There are two fences that go around it.

**Comm. Strauss:** Maybe I’m understanding it wrong. It looks like this facility is in a lagoon. Is it a dry bed?

**Mr. Klein:** That was the only aerial we had. That lagoon is gone as part of the area improvements.

**Comm. Block:** I had trouble reconciling the chart at the bottom of Page 4. It refers to the tallest structure with 105’ required and 25’ provided and compliance. There was no explanation. Then, it talks about 105’ and 543’. I wasn’t following that.

**Mr. Sanchez:** This chart is listing what is required of the tallest structure. Since these structures are higher than the allowed height within the Agriculture zoning, for every foot
of height that they get, they have to be set back an additional foot. In the chart, it shows the required setback and the actual setback.

Comm. Block: Those two that I mentioned were accurate?

Mr. Klein: Yes, and some deviations were approved at the time for Johnson County Wastewater. Some poles are taller. Governing Body approved up to 110’ feet in height. One of the poles ended up being 110’; the other one is 100’.

Comm. Block: How does 110’ compare to what is there today?

Mr. Klein: I believe that they might be able to answer better. It is about 79’ in height.

Chairman Pateidl: I want to follow up on that, particularly on the comment about the tallest structure at 105’ and required 25’, and then it’s blank. Was the deviation granted for that?

Mr. Klein: Yes. Those should have been on the same line; it just had two lines with one looking like a blank.

Chairman Pateidl: I would encourage you to complete that box about a deviation granted. It was the same question in my mind. Are there other questions?

Mr. Sanchez: Planning staff did want to note that Stipulation No. 10 should be deleted. It is a copy of No. 2. Stipulation No. 14 should read, “Through Stipulation Nos. 1-13.”

Chairman Pateidl: As long as we are in the stipulation section, I am going to refer to No. 11. It reads, “The applicant shall obtain all approvals and permits from the Public Works Department, per the Public Works memo on file with the City of Leawood Department of Community Development prior to the issuance of a building permit.” My only concern with that is the lack of specificity. We have a letter that outlines several points that are actually inclusions to the stipulations, but we don’t specifically refer to that letter. Personally, I think we would do ourselves better to either reference this as a copy attached or the specific date of that letter.

Mr. Klein: I understand what you’re saying. This is a standard stipulation that we’ve had. I know we worked with legal counsel. I can check to make sure.

Chairman Pateidl: Because there are several specific points contained in that letter, I think it’s important to identify. Thank you. Is the applicant here?

Applicant Presentation: Tammy Lorenzen with Johnson County Wastewater, 4800 Nall, Mission, KS, and Chris Cook, KCP&L, 4400 E. Front Street, Kansas City, MO, appeared before the Planning Commission and made the following comments:
Ms. Lorenzen: Today, we are just here to talk about the Final Development Plan for this electrical substation. Again, the plan has already been approved for the proposed Tomahawk Creek Wastewater Facility improvements, including the Landscape Plan. All of the stipulations that are pertinent to that are already approved under Case NC03-18. As staff alluded to, the reason the substation is required is that the existing distribution lines that served the old facility did not have the capacity available to provide the peak power that is needed for the future facility. Through various evaluations with KCP&L, we determined that this was the best, lowest-cost, most reliable solution for our customers. With that, I will turn it over to Chris Cook.

Mr. Cook: (Refers to photo) The aerial view shows the substation and the two 90’ structures discussed. There is a lightning mass for lightning protection in the center. Staff showed their locations in the substation. These are elevation views of each section. The transmission line section of the substation shows the structure at 90’ elevation on top of concrete. There are two different bus heights: 16’ and 23’. The elevation shows the transformer and switchgear elevations from 23’ down to a height of 15’ for the top of the incoming conductor. We also made some modifications from the previous design with an 8’ chain link fence with 3” mesh. It will prevent people from climbing and trying to cut the chain link. We went through this change on all our substations 6-7 years ago. There is no barbed wire. The 16’ bus height section to the south of the substation with the 90’ lightning mast in the background. The 3D images show a southeast perspective and the two substation dead-ends inside the sub with transmission lines going out to pick up the transmission structures. The one in the middle on the transmission structure is the 100’ one, and the one to the east is the 110’ structure. The reason the heights of the structures are given on the transmission is to provide clearance from the transmission conductors to the ground. This is a national electric safety code we must comply with. From the northwest looking into the sub, it shows two substation dead-ends and a lightning mast in the background. You mentioned the Knox Box. Since this is electrical, if there is a fire inside the substation, we need qualified personnel in that substation to deenergize what is on fire to make sure that, when the firefighters to do in, it is safe for them to put water on it since it is somewhat of a conductive medium. We have alarms in this facility so if anything does trip open, we will already have people dispatched to the substation prior to the firefighters getting there.

Typical single-pole transmission structures have galvanized steel, so they are grey in color. The rest of the equipment is depicted on the elevation. Our design was a three-pole structure to the east, and we are removing it because it had guy wires. We are rolling the conductors up from a flat orientation to a vertical orientation. We are turning the corner and coming in to the substation. If we do this design, we eliminate a lot of the need for guy wires. That allowed for a single pole with a foundation and no guy wires coming off the structures.

We are starting now on the design. We’re scheduled to put this in service in September 2020. The main concern we usually have with putting in substations is the delivery time. A lot of this material has a long lead time, so some of our material would be a year. It takes a while for material to get ordered and received. I’d stand for questions.
Comm. Coleman: Mr. Ley put a report together, and he said that Johnson County is constructing a bypass channel on the north side of the treatment plant to convey the stormwater around the treatment plant. He also says that the equipment will be 3’ or more above the 100-year water surface elevation. Obviously, that area floods regularly. If the water does get up to the level of the substation, what action plan do you have to shut it down at that point?

Mr. Cook: A lot of the equipment is elevated, especially in the control house. We have other areas that are prone to flooding. If we do realize there are floods, we will have crews out there switching the load off it and transferring it to other circuits. I don’t know what the plant would do in that situation, but they would probably have to shut down in that respect. We would have to turn it off.

Ms. Lorenzen: Actually, the improvements at the entire site are designed to not only be 3’ above the 100-year line but also above the 500-year. If the whole plant flooded to the point that it would impact the substation, we would be looking at such a historic flooding event that there would be catastrophic damage throughout the area.

Chairman Pateidl: Are there any other questions? Thank you. It looks like the substation is quite a project.

Mr. Cook: Yes, it is.

Chairman Pateidl: Are there any discussions regarding this plan? I would entertain a motion. We’ve had discussions regarding the stipulations.

Ms. Lorenzen: I would point out that the Landscaping Plan has already been approved under a previous case for the entire facility. We would ask that Stipulation Nos. 3, 7, and 8 be struck because they are not applicable to this application.

Chairman Pateidl: If I understand your request.

Mr. Klein: The applicant has always been clear that they would use the same plan done with the other. We just felt that, since this is part of the electrical substation, the stipulations were covering that as well.

Ms. Lorenzen: Actually, No. 3 was not required in the previously approved case.

Mr. Coleman: It is around the administration building only.

Chairman Pateidl: Since we generally see that irrigation is required for landscaping, I would say that we are either redundant or inappropriate. Do we delete these stipulations or not?
Mr. Klein: I think the stipulations are covered in both, so it should be fine to delete them. The Landscape Plan was approved with Johnson County Wastewater, and they took the substation into consideration at that time.

Chairman Pateidl: You concur with the deletion of Nos. 3, 7, and 8?

Mr. Klein: Correct.

Chairman Pateidl: With that, we would have ten stipulations.

A motion to recommend approval of CASE 106-18 – INDIAN CREEK ELECTRICAL SUBSTATION – Request for approval of a Final Plan, located south of I-435 and east of Mission Road – with ten stipulations as modified, including the removal of Nos. 3, 7, and 8 – was made by Strauss.

Chairman Pateidl: I would add one other comment on that regarding No. 11 to be specific in the identification of the letter from the Public Works Department.

Seconded by Belzer. Motion carried with a unanimous vote of 7-0. For: Hunter, Belzer, Hoyt, Strauss, Coleman, Block, and Stevens.

CASE 107-18 – BARSTOW SCHOOL – LEAWOOD CAMPUS – Request for approval of a Preliminary Plan and Special Use Permit, located north of 123rd Street and west of State Line Road. PUBLIC HEARING

Staff Presentation:
City Planner Jessica Schuller made the following presentation:

Ms. Schuller: This is Case 107-18 – Barstow School – Request for approval of a Preliminary Plan and Special Use Permit. Before I proceed with the presentation, I would like to note a couple changes that had taken place since your reports were delivered to you. The first is a correction on Page 3 of your report. Building No. 3 in the table is listed as School, and it should be Retail. School is Building 5. You also have an additional public comment letter from Pembroke Court Subdivision. This was received after your packets were delivered. You also have a memo detailing some changes to stipulations. The majority of them have been agreed upon by staff and the applicant. Many of them were able to be removed.

The proposed Barstow School location is within Leawood Plaza in the previous location of the HyVee grocery store. The applicant proposes an adaptive reuse of this currently vacant retail space for use as an ancillary campus for the Barstow School, which is a private school for elementary, middle, and high school students. The main campus is located near 115th Street and State Line Road in Kansas City, MO. The applicant proposes the students will be shuttled from the main campus to this ancillary Leawood campus, primarily for use of the Robotics program. While the school’s programs and schedules have not been completely finalized, the applicant does expect 50-150 students with 10-15 teachers to be located at this ancillary campus. The applicant
also proposes a daycare facility at the campus for approximately 18 infants and 30
toddlers. The hours of operation of the school will be approximately 7:00 a.m. to 7:00
p.m. The existing retail structure is a single-story building with 63,370 square feet. The
applicant does not propose any changes to the existing parking lot, parking lot lighting, or
number of parking spaces, which are more than adequate to serve the school’s needs and
also meet the requirements of the LDO. The applicant proposes modifications to the
eastern elevation of the building, which serves as the main entrance. The applicant
proposes a new storefront window system across the eastern façade in place of the
existing stucco infill that is along the façade, along with new doorways to face the east
and a new metal fascia to match the existing fascia on the building. The porte cochere
will also be updated with a new metal fascia. The western and southern façades of the
building will remain unchanged. The site is currently landscaped. The applicant proposes
some additional ornamental trees on the west side of the building on the existing berm
behind the structure. Staff would like to see some additional site improvements regarding
landscaping, such as 60% living material in the landscape islands and screening of
utilities; however, these are not required by the LDO for this application, so we are not
able to make the site come into complete compliance with current LDO landscape
standards. Staff recommends approval of Case 107-18 with the modified stipulations in
your memo.

Chairman Patel: Are there questions for staff?

Comm. Block: In the notes from the Interact Meeting, I noticed the moderator indicated
there would be 30 parking spots removed, but I didn’t see that anywhere in the diagrams
or anywhere in the text of the application.

Ms. Schuller: At the time the meeting was held, the Site Plan looked a little bit different.
The applicant was proposing an entryway plaza in the front parking area that would have
removed some of those pieces; however, due to circumstances with the current owners
within Leawood Plaza, they were not able to work that out. The revised plan before you
is what they are bringing forward, which does not call for the removal of any parking
spaces.

Comm. Coleman: On the Traffic Impact Study, obviously the building has been vacant
for some time, so the only thing we have to go on is when it was HyVee. How many
years ago was that?

Ms. Schuller: The site has been vacant since 2014.

Comm. Coleman: Where is the data coming from for the traffic study? Was it when
HyVee was open?

Mr. Ley: It is from the ITE manual for supermarkets in general throughout the country.
That is how they developed the traffic counts. It is not from a prior study of this site.
Comm. Coleman: There is still something in there. I think the HyVee drugstore is in there, but obviously, it’s minimal impact right now.

Mr. Ley: That’s right.

Comm. Coleman: Right now, the building is owned by HyVee and is on the tax rolls, I assume. If Barstow purchases the building, it would come off the tax roll as a school?

Mr. Hall: Presumably; if they’re a nonprofit entity, they are not taxed. It could be stated that it is not really generating tax revenue at the moment.

Comm. Coleman: It is generating property tax.

Mr. Hall: Yes, but none of the other bonus tax you get out of a retail establishment that is functioning.

Comm. Coleman: For clarification, does the school pay property tax?

Mr. Hall: To be perfectly honest, I don’t think so, but I would need to look into the property tax rule to confirm that.

Comm. Strauss: Jessica, can you give us some more background on why so many stipulations were removed? I know we like to try to bring new developments up to current LDO standards, but I suspect it’s because the building itself is not changing. Isn’t there a trigger for the requirement to be upgraded to the LDO?

Ms. Schuller: The applicant is not increasing the intensity of use on the site. Some of the changes to stipulations were regarding improvements that the applicant does not actually have to make, per the LDO. We would like to see the site beautified. The applicant agrees with that; however, they just didn’t wish to see some of those improvements as a stipulation. It is not that they are unwilling to make some of these improvements down the road.

Comm. Strauss: Do you remember when the city requires those new LDO amendments to be met?

Mr. Klein: It is triggered by an increase in the intensity of use of the property. It really comes down to a use that adds traffic, more square footage, etc. Per the LDO, the legal, nonconforming characteristics such as parking and landscaping would have to come into conformance at that time. However, in this case, the school is going in as a lower intensity than what the grocery store was. We didn’t really have the ability to do that. Originally, they were proposing more modifications. They indicated that they might be willing to make improvements down the road, but they did not want them as stipulations, and because the intensity of use didn’t increase, we couldn’t require them.
Comm. Hoyt: If this is approved, will it sell off the entirety of the HyVee holdings on that site?

Mr. Klein: That might be a better question for the applicant.

Mr. Coleman: I believe that is true.

Comm. Hoyt: In the description of how this was all going to be situated at the top of Page 3, it says, “The building is mainly rectangular in nature with a flat roof. A smaller extension of the building is located to the north on another tract of land and is not proposed to be used as part of the school.” Is that physically attached?

Mr. Coleman: Yes.

Comm. Hoyt: But it’s not owned by HyVee?

Mr. Coleman: Correct; it has a common wall.

Chairman Patel: Any other questions? If the applicant is here, please step forward.

Applicant Presentation:
Ellen Pantaenius, Husch Blackwell, 8215 Rosewood Lane, Prairie Village, KS, appeared before the Planning Commission and made the following comments:

Ms. Pantaenius: We are here to present our application for a Special Use Permit and Preliminary Plan for the Barstow School. They are under contract to purchase this property from HyVee. They intend to develop it as an ancillary campus for their school. The main campus is across the way on the Missouri side. They will use this property for their STEAM programming and a daycare. Joining me today are Shane Foster, President and Head of School; Jeff Schnitzler, architect with Hollis and Miller.

Shane Foster, Headmaster of Barstow School, 115th and State Line, Kansas City, MO, appeared before the Planning Commission and made the following comments:

Mr. Foster: The Barstow School is the oldest independent school west of the Mississippi. We have been in Kansas City since 1884. Our current campus on State Line Road was opened in 1962. We have approximately 150,000 square feet of educational space with 128 employees. We have found, since we started new programming such as STEAM with our technology program, a need. About 70% of our applicants come to us from Kansas. We feel it is necessary for us to create a feeder program with a daycare. We have a lot of interest with our current parents. We have exceeded the capacity on our current campus with our innovation space, so we are requesting to get a Special Use Permit so we can start a center for innovation on the former HyVee space.

Jeff Schnitzler, Hollis and Miller Architects, 1828 Walnut, Suite 922, Kansas City, MO, appeared before the Planning Commission and made the following comments:
Mr. Schnitzler: *(Referred to PowerPoint throughout)* The existing HyVee has been vacant for about four years. The parking is proposed to remain as it currently exists. The adjacent properties have cross-access agreements. We are proposing changes that have been stated by staff, including the addition of some ornamental trees and minor modifications to the building. The only exterior modifications are proposed on the east elevation with the idea that we would like to provide more daylight and a friendlier appearance for the school. We are proposing to remove the existing stucco and replace that with a new aluminum glass window and entry system as well as to add glass windows at the entry to help demarcate that a little bit better and be more in keeping with the school’s image and brand. We are proposing cleaning and replacement of the existing fascia to match what is currently existing, so very much in keeping with the existing aesthetic and cleaning it up a little bit. The remainder of the building will have maintenance work due to four years of vacancy but no significant or physical changes to any of the elevations.

As Shane and Ellen mentioned, this will house the STEAM program and Robotics. Those take a lot of space. It will also have a new administrative area to organize and run this part of the school as well as a daycare space and support space for play and gathering for the students outside of the workshop and daycare.

Ms. Pantaenius: As staff noted, we held an Interact Meeting on August 29th. We had tremendous support from the neighbors who attended that meeting. They were really looking forward to seeing this property utilized again, particularly for the school purpose that Barstow is proposing. We have a letter of support from Pembroke Court Homeowners Association. I understand a representative may be here to make comments this evening as well.

We will be redeveloping what is currently a vacant store that is slowly falling into disrepair. We will add some screening trees and refresh the exterior, adding some glass, and helping it look quite a bit better. Security will be improved because it will be owner-occupied. Traffic to this site will be reduced from what was experienced with the HyVee store. Parking use also will be reduced. We also anticipate increased tax revenue from the surrounding businesses that will benefit from this site being utilized again. We also will employ 10-15 additional staff at this location. We’re happy to answer any questions you may have.

Comm. Hoyt: Do you anticipate that this will totally fill that building, or is there excess capacity for future expansion?

Mr. Foster: It is 63,000 square feet and a lot of space, but with our STEAM program expanding and the daycare, we believe the space will be fully occupied; however, as we start to renovate inside, we believe there will be other opportunities to expand our technology program as part of this.

Comm. Hoyt: I know the drawing of the interior space is not a finalized plan, but I was intrigued by your outdoor play space. You’re planning to cut the courtyard?
Mr. Foster: That is correct because, as part of the stipulations to run a daycare, we need an outside space. Unfortunately, because of the easement that runs through that area with traffic around the back as well as through the front, it is not a safe area to put children outside. We moved the outside inside.

Comm. Coleman: Mr. Foster, the Engineer’s Report states that this is for middle school. Is it for the entire school from K-12, or is it centered on the middle school?

Mr. Foster: It will be Preschool-12.

Comm. Coleman: What about the summer at Barstow Program? Will you utilize the space for that as well?

Mr. Foster: We will be utilizing the space for our Robotics and STEAM program, a lot of which we do currently on our campus, but we would expand that. We would be bussing students over at that point.

Comm. Block: Your photos of the parking lot looked a little rough. Are there any plans to reseal, repave, or repair it?

Mr. Foster: Yes.

Comm. Block: Also, the top window just looked odd to me. It doesn’t have a top to it.

Mr. Schnitzler: It is really about more of an open, up-reaching idea for the program. It is taking the form there and breaking it down a little bit and bringing additional daylight in.

Comm. Block: I didn’t know it had a purpose. I thought it was more ornamental. There is a deed restriction associated with this property that continues?

Ms. Pantaenius: There will be a deed restriction from HyVee to the Barstow School.

Comm. Block: And that will continue?

Ms. Pantaenius: It will.

Chairman Pateidl: Are there other questions? This application requires a Public Hearing.

Public Hearing
Barbara Jones, 11100 W. 122nd Street, appeared before the Planning Commission and made the following comments:

Ms. Jones: You saw the view from our house. We are thrilled that this is happening; however, I do have a question that has to do with traffic. We live in a neighborhood that is aging. I moved back to be with my parents, and they are driving, as are our neighbors and the neighbors on 121st. Quite a few elderly people are coming in and out of State
Line. Given the school being present, will there be a school zone or a crosswalk put in at the bottom? My main concern is cars coming north from that hill. They do not pay much attention to cars that might be entering from the Missouri side onto State Line, particularly crossing over. The school might be a good opportunity to slow some of that traffic down and set up a more secure setting for elderly residents.

Mr. Ley: I believe most of the school students will be dropped off by the parents or brought over by Barstow from the main school off State Line, so we would not anticipate any school zone along this area.

Comm. Coleman: Mr. Ley, what is required for lights in a school zone? I know there is a Montessori school on the other side of State Line that at least has a sign. It’s not as extensive as Leawood Elementary with the flashing lights.

Mr. Ley: Typically, we’re looking to see if there are students walking to school. That would be something that we would look at over time. If there are, we would study the area to determine where we would put the flashing lights. We work with the Police Department, also, on where we would put the speed zones.

Comm. Coleman: To even put a sign to say there’s a school is something you have to study once everything is up and running?

Mr. Ley: That is correct. We work with the Police Department on that.

Ms. Pantaenius: I can make one additional point on that, also. The daycare will be open from 7:00 a.m. to 7:00 p.m. with parents dropping off. There will not be steady traffic coming to this location at one particular time; it will be more spread out.

Chairman Pateidl: Okay, welcome.

Peggy Beal, 2701 W. 120th Place, appeared before the Planning Commission and made the following comments:

Ms. Beal: I’m here as a representative from the Verona Gardens HOA Board. We found out about this Planning Commission meeting last night through our City Councilman Mary Larson. I have a couple of questions that are mostly informational. You may have answered and I just didn’t hear it, but the daycare is for whom? Is it open to the general public? Is it for the employees of Barstow?

Mr. Foster: It is open to the general public.

Ms. Beal: As one of the surrounding neighborhoods, I know Pembroke Court has a representative here, and they are directly adjacent property. Verona Gardens has 445 homes just behind them, so this is a concern to all our neighbors as well. We would like a copy of the plan that is being proposed. If there are any other Interact Meetings, we would like notice. We didn’t know about the first one. We would have liked to have
participated in that. Really, we just want to be kept informed and in the loop on the development of the property. Thank you.

Chairman Pateidl: I might ask a question regarding the notification of the Interact Meeting.

Ms. Pantaenius: We obtained a list of homeowners and HOAs provided by Leawood Planning Staff as well as other property owners located within 500 feet of the project site. We sent notices of our Interact Meeting and this meeting to all those property owners.

Ms. Schuller: In addition to that, the packet is always posted online with full sets of plans and Staff Reports prior to every meeting. That was posted last Friday. The Interact Meeting notification is sent personally to every address within 500 feet, and then staff takes an extra step to notify HOAs within 1,500 feet. We divide the city by north, central, and south. If the project is taking place in the south, all HOAs in the south would be notified.

Chairman Pateidl: You’re comfortable we met the requirements of our ordinance?

Mr. Klein: We’ve been trying hard to go well beyond the state statute. I’ll double check. City staff sends out notification as well.

Comm. Hoyt: Just so the Verona Gardens folks know, staff is saying the plans are online right now. You can go to the city website and find them. The meeting minutes will be entered into the record as well.

Inaudible comments

Mr. Klein: We try to go well beyond that.

Inaudible comments

Chairman Pateidl: Any other questions? Mark, in response to the availability of the daycare facility being open to the general public, does the Special Use Permit as it is formulated in this application allow for a general daycare facility?

Mr. Klein: A general daycare facility is allowed with a Special Use Permit in this particular zoning district. We learned more about the daycare as the plan progressed. We determined it was more of a commercial daycare with before and after care for the school as well. One of the stipulations in the Staff Report is that they will need to get a Special Use Permit for the daycare.

Chairman Pateidl: I would think that would be appropriate for clarity for Governing Body. Sir?

Shel Rupa, 2000 W. 123rd Terrace, appeared before the Planning Commission.
Mr. Rupa: I welcome Barstow as a neighbor; however, I want to make sure there will not be any regularly scheduled evening activities. It is surrounded on three sides by residential homes. Will Barstow plan on any evening activities at that location?

Mr. Coleman: I don’t think we have any restrictions on that. HyVee was a 24-hour grocery store, so I think the school may have conferences or ongoing things in the evening hours.

Comm. Hoyt: I feel like there was contemplation of evening activities but a stipulation that they would be over by 11:00 p.m.

Mr. Klein: There is a stipulation that states that, and they can always apply for a Special Event Permit if they had something that lasted longer than that.

Mr. Rupa: Given that the main campus is relatively remote from a residential area and this is surrounded on three sides by residential homes, I think activities that might go until 11:00 p.m. might be better served at the main campus. Is there any reason they couldn’t be handled at the main campus?

Chairman Pateidl: Would the applicant like to address that?

Mr. Foster: Thank you for your question. We do not anticipate having dances, for example that we would hold at our main campus but we would like to reserve the right to have a robotics competition, for example, which may well go into the evening hours. I don’t anticipate it would go beyond 11:00 p.m.; however, we would like to request up until 11:00 p.m., knowing that most of the business will be done by 7:00 p.m.

Ms. Pantaenius: I’d like to add that events will be enclosed inside the building and should not be bothersome to the neighbors any more than a 24-hour HyVee would have been.

Michael Price, 12120 Sagamore Road, Leawood, appeared before the Planning Commission and made the following comments:

Mr. Price: I am the President of Pembroke Court HOA. On Friday, September 21st, I delivered a letter to the city, which hopefully is in your packet. I think it was mentioned earlier. Needless to say, we’re thrilled to death that the Barstow School has chosen this location. We have 75 homes in our subdivision. We are adjacent to and immediately west of the back of the proposed school. We have had a number of issues since HyVee left the area with trash and trucks in the parking lot. We’ve been to City Council a couple times, hoping something could be done like this, realizing the city was not responsible for seeing that the property was sold or occupied. One of the things I heard just now was mention about late evenings. Actually, there are businesses to the east, north, and south of this building. The neighborhood that we have is right behind all those businesses. I think there is a pizza place that stays open probably past 11:00. There are other businesses that
lease the space. We’re thrilled that HyVee Pharmacy stayed and that the Barstow School can now make a difference in that area because we’ve already seen an insurance agency go in to the south. I think Barstow School is leasing an office close to the building. There’s a furniture business there, and we believe that because students are going to be there, maybe those other places will be occupied as well. We’re really happy about this. We got good notice of the Interact Meeting and had several residents there that were in favor of this. As the elected President of Board of Directors of the 75 homes, we fully support this application.

Chairman Pateidl: Thank you. Are there any other parties who would like to make a comment?

As no one else was present to speak, a motion to close the Public Hearing was made by Strauss; seconded by Hoyt. Motion carried with a unanimous vote of 7-0. For: Hunter, Belzer, Hoyt, Strauss, Coleman, Block, and Stevens.

Chairman Pateidl: The Public Hearing is now closed. Is there any discussion?

Comm. Strauss: I have a question for staff. I haven’t been in the area for a while, but I was thinking about state laws regarding liquor stores and places that sell tobacco near schools. I don’t know if there are any in the area now. If there are not, isn’t there a state law that prohibits alcohol sales within a certain distance of a school? How would that play out?

Mr. Klein: Nall Valley Shops was the last one we had come in. We wanted to make sure that they were an appropriate distance from Math Monkey. We typically check that when a liquor store moves in. We’re not aware of any liquor store in this area in that range. It is not so great that it usually encompasses a whole development and beyond. For instance, at Nall Valley Shops, it was okay for the liquor store to be on one corner and the other business to be located along Nall Avenue.

Comm. Strauss: If a liquor store wanted to come in to one of the open spaces in the development, would our LDO preclude that?

Mr. Klein: It is actually state law. We try to check it as well.

Comm. Belzer: Regarding the outdoor space, if it were to become a courtyard, would the applicant need to reapply since it would be a major roof change?

Mr. Klein: It would actually require a building permit in order to construct. Most of the applications you see have a lot of codes that go into the review of the interiors. This would be the same way.

Comm. Hoyt: I have more of a comment. I would like to congratulate the visionaries who came up with this plan because I think it’s a wonderful repurposing of the building,
and I think it’s wonderful from Barstow’s standpoint from what I can tell. I think it will be a great asset to Leawood.

Comm. Coleman: I would like to echo Commissioner Hoyt’s comments. For the past four years as a commissioner on this body, it has really irked me when we have had vacant property in the city that is not being put to a useful role. Never in my wildest dreams did I think that Barstow would come and take this property. I was wondering for years what could go in. I think there was talk about a fitness center. I know we had the deed restrictions, which prohibited us from allowing a supermarket to come in, which was aggravating to say the least. I think this is a great addition to Leawood. I think it’s a great addition to the area. I think the Robotics, STEAM, and daycare are going to be a great advantage to that side of State Line, to the neighborhoods that surround it, and for all of Leawood.

Chairman Pateidi: Any other comments?

A motion to recommend approval of CASE 107-18 – BARSTOW SCHOOL – LEAWOOD CAMPUS – Request for approval of a Preliminary Plan and Special Use Permit, located north of 123rd Street and west of State Line Road – with the 21 stipulations outlined in the memo – was made by Strauss; seconded by Coleman. Motion carried with a unanimous vote of 7-0. For: Hunter, Belzer, Hoyt, Strauss, Coleman, Block, and Stevens.

CASE 97-18 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-9-26(a), AUTOMATED BANK TELLER – ANCILLARY TO BANK OR FINANCIAL SERVICE – Request for approval of an addition to the Leawood Development Ordinance, pertaining to automated bank teller machines – ancillary to a bank or financial service. PUBLIC HEARING

Staff Presentation:
Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 97-18 – Leawood Development Ordinance Amendment to Section 16-9-26(a) – adding a definition for automated bank teller – ancillary to bank or financial service. This case and the following two cases are all related. Currently, the LDO defines an automatic bank teller machine; however, it does not distinguish between being associated with the bank or financial service and one that may be independent. In the Table of Uses, it wasn’t addressed, either. Typically, an automated bank teller would be located in a bank application that came before the Planning Commission and City Council. The Automated Teller Machine (ATM) might be located in the drive-through, within the vestibule, or in the wall of the building. It was just an ancillary part of the business. In this case, there was nothing to address an ATM separate from a bank or financial institution, such as in a development like Park Place. Staff is trying to address the need. We decided to add two definitions. One is for the Automated Bank Teller ancillary to a bank or financial service. These would typically come in as part of a bank application. In addition, we would like to add a definition of an ATM that is independent
of a bank or financial institution and not located on the same lot. We have restrictions in order to ensure it will look nice. We require them to be within a wall, not projecting, and served from the interior of the building. In addition, on the last application, we address adding them to the Table of Uses to establish what zones allow them. This application is 97-18. It defines an automated bank teller ancillary to a bank or financial institution as an automated bank teller machine either freestanding or integrated into a wall or building that is ancillary to and located on the same lot as the primary use of a bank or financial service. Staff is recommending approval, and I’d be happy to answer any questions.

Chairman Pateidl: Are there questions?

Comm. Coleman: As a point of clarification, we allow the drive-through ATM at the banks. They can have one inside their building as well. If Park Place wanted to put a regular ATM coming out of the side of the building, would it be covered or not?

Mr. Klein: Right now, the LDO is vague. It doesn’t list ATMs in the Table of Uses, which could then be interpreted as them not being allowed. Obviously, an ATM is part of a banking function, so they have always been allowed as part of that function with a bank or financial institution. If somebody wanted to put an ATM in the middle of a development not associated with a bank or financial institution, it was prohibited since it wasn’t addressed in the LDO. ATMs in businesses such as grocery stores are allowed because they are on the interior of the building. This addresses the exterior.

Comm. Coleman: If Windy City wanted to put an ATM on the side of their building, it would not be allowed with this?

Mr. Klein: It would require plan approval as part of it, but it would allow it.

Comm. Coleman: Can it be outside or inside?

Mr. Klein: If it is outside, it has to be in the wall. It can’t project more than 3” from the wall, and it has to be serviced from the interior of the building.

Comm. Coleman: For instance, Costco has an ATM that is freestanding. That would not be allowed?

Mr. Klein: It would be allowed on the interior but not on the exterior.

Comm. Hoyt: As a point of clarification, Case 97-18 is just a definition, as is Case 98-18. Right now, all we’re doing is setting up definitions.

Chairman Pateidl: I’d like to do it by individual case since a Public Hearing is required on each one. Before us right now is the definition of an automated bank teller. Having said that, do you have any other questions?
Comm. Strauss: I’m confused about the statement that it must be serviced from the interior of the building. If an ATM is put into the wall, how is it going to happen from the interior?

Mr. Klein: The way we envisioned it is that it would be located in the wall, and the back of the ATM would be on the inside with the access panel on the back. This would encourage more security.

Comm. Strauss: That would preclude a lot of ATMs because it would require significant altering of the building. It seems like I see a lot of ATMs serviced from the front. I understand what you’re saying; it’s just more restrictive. That’s fine.

Chairman Pateidl: Let me point out that this definition is ancillary to bank or financial services. It doesn’t apply to a location to a Costco or anybody else. If the bank is going to build this and have that facility available in the wall, I’m not sure that you’re really talking about a lot of modification. I’ve thought on this for the sake of not only security but public safety as well. People figure out who’s going to be out there throwing $50 bills at that thing, and that’s a little spooky. All things considered, focusing on this definition, it is at a bank or a financial facility.

Mr. Klein: Correct. These are the ATMs you’ve seen in the past.

Chairman Pateidl: We’ll deal with your other issue with the other case. I’ll open the 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 7-0. For: Hunter, Belzer, Hoyt, Strauss, Coleman, Block, and Stevens.

Chairman Pateidl: Any further discussion on this matter of the definition of an automated bank teller for a bank or financial institution? If there are no comments, I would entertain a motion.

A motion to approve CASE 97-18 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-9-26(a), AUTOMATED BANK TELLER – ANCILLARY TO BANK OR FINANCIAL SERVICE – Request for approval of an addition to the Leawood Development Ordinance, pertaining to automated bank teller machines – ancillary to a bank or financial service – was made by Hoyt; seconded by Belzer. Motion carried with a unanimous vote of 7-0. For: Hunter, Belzer, Hoyt, Strauss, Coleman, Block, and Stevens.

98-18 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-9-26(b), AUTOMATED BANK TELLER – NON-ANCILLARY IN-WALL –
Request for approval of an addition to the Leawood Development Ordinance, pertaining to automated bank teller machines – non-ancillary in-wall. **PUBLIC HEARING**

**Chairman Pateidl:** This case focuses on machines that are not coexisting with banks or financial services and not necessarily involved with a bank or financial service.

**Mr. Klein:** Correct, and it must be in the wall.

**Staff Presentation:**
Assistant Director Mark Klein made the following presentation:

**Mr. Klein:** This application is to add a definition to ATMs that are not part of a bank or financial institution. They must be in the wall with no more than 3” projection, and they must be serviced from the inside of the building. This is adding a definition, and the definitions will be incorporated into the Table of Uses in the next application.

**Comm. Strauss:** This is the appropriate place to talk about this. I’m still confused. If the ATM is within a wall at Park Place, isn’t there an existing development on the other side of that wall? It would be accessing the ATM from a different property.

**Mr. Klein:** It is possible that there is a business on the other side. It is also possible that it is an office of that particular development. For instance, Town Center Plaza has a cut-through with an office. They could also have an ATM in that same location. Park Place could use one of the vias.

**Comm. Block:** I agree with Commissioner Strauss. It seems like an unnecessary requirement to have them serviced from the back. I’ve only seen them serviced from the front. Maybe they exist. Maybe you’ve done research as to how different ATMs operate. Typically, people are armed when they come service these. I’m not buying the security bit of it. It seems limiting on where these can be put in existing buildings and would almost eliminate the possibility of them being installed. I think having them serviced from the front is sufficient.

**Comm. Hoyt:** Do we know if servicing from the back is available?

**Mr. Klein:** I believe it is one of the options. It probably is more restrictive.

**Comm. Hoyt:** Along the same lines, the concept of putting these automated tellers in where there is not a financial institution is if the development itself were to perceive that there is a real need. It is not so much a proprietary machine. This is really to serve the needs of a group of merchants who, one would presume, will collectively band together and urge management of the complex to put one in. That would lend credibility to your concept that they will go into an area with a management function of some sort for the development.
Mr. Klein:  In reality, these will probably be used less and less because it seems like credit cards are being accepted more and more. There may still be a need for a development.

Comm. Hunter:  Really, you just felt like we needed a definition for it.

Mr. Klein:  We felt it should be addressed. We have been approached in the past about putting and ATM in a development. Some have suggested a freestanding ATM. Staff had concerns about that because it is often hard to make look nice, but there are also security issues with the potential for someone to grab the whole machine.

Chairman Pateidl:  Other questions? This requires a Public Hearing.

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

Mr. Jeffries:  I wanted to thank staff for taking up this issue. We were actually approached by a developer who wanted to put one of these in Park Place. They actually wanted to put it at the kiosk that has been sitting vacant since Park Place was built; however, this was a compromise, and I can certainly understand staff’s desire to keep it a little less obtrusive and more secure. That kiosk continues to sit empty with a little electrical stub in the middle. It was originally for ticketing for AMC Theaters, and that never was built. I just wanted to thank staff for doing this, and there has been demand from the merchants at Park Place. People need cash to pay for the valet parking. I’ve talked to several bankers, and there continues to be a demand for ATMs; they just maybe aren’t as noticeable as they have been in the past. Thank you.

Comm. Block:  When you deal with the banks, is there any feedback from them on this ordinance?

Mr. Jeffries:  I did approach several board members who are in banks. They said that they were very supportive of adding that to our ordinance because they are getting away from building brick and mortar structures anymore. Yes, I would agree with Mark that a lot of payments are online, but when you’re out for the evening, you still use some cash.

Comm. Block:  Did you ask about servicing from the front?

Mr. Jeffries:  That is a new wrinkle I hadn’t heard of until recently; however, being a former banker, I do know there are ATMs that can be serviced either way. For our practical application, pulling the front off to access it from the middle of the vias, it might be a little obtrusive. Everyone who is servicing those is armed. I’m in the Country Club Bank building right now, and the ATM in the drive-through there is serviced by two guys. One has a gun; the other reloads it. They understand how to do it. They come at random times, so it would be very difficult for a bank robber to anticipate that. Robbing
an armored truck is more in the movies. To your comment, they only put smaller bills in. I think it’s great that staff was willing to take it on.

**Chairman Pateidl:** Seeing no one else, I would entertain a motion.

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

**Chairman Pateidl:** Further discussion?

**A motion to approve 98-18 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-9-26(b), AUTOMATED BANK TELLER – NON-ANCILLARY IN-WALL – Request for approval of an addition to the Leawood Development Ordinance, pertaining to automated bank teller machines – non-ancillary in-wall – striking the language, “shall be fully serviced from within the interior of the building” was made by Block; seconded by Strauss.**

**Chairman Pateidl:** I would have to defer to staff because that is a significant change.

**Mr. Klein:** Again, the reason we had that in there was to make sure that these are a little more secure without having someone servicing it out in the open. I certainly understand.

**Chairman Pateidl:** Commissioner Block has a motion on the table, removing the requirement that the ATM be serviced from inside the building. Is there a second?

**Comm. Strauss:** I had seconded it.

Chairman Pateidl: Thank you. So everyone is clear, we are not taking a vote on the definition as presented by the Planning Department but as modified by Commissioner Block.

Motion carried with a vote of 5-0. For: Belzer, Strauss, Coleman, Block, and Stevens. Opposed: Hunter and Hoyt.

CASE 99-18 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-2.7, TABLE OF USES – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to changes to bank teller machines.

**PUBLIC HEARING**

**Staff Presentation:**
Assistant Director Mark Klein made the following presentation:

**Mr. Klein:** This is Case 99-18. As we discussed earlier, this adds the definitions to the Table of Uses. We want to include those that are ancillary to bank or financial services into every place we’ve seen bank and financial institutions allowed. They are shown as a
planned use in each of those zoning districts. It would be the same process banks and financial institutions have gone through in the past. I would also like to make a correction. For the non-ancillary, in-wall ATMs, we would like to have it as a planned use rather than a Special Use Permit; however, we would like to limit it to SD-CR [Planned General Retail]. It would include such places as Town Center Plaza and, by extension, MX-D. The MX-D District includes all the uses within the other zoning districts with the exception of the BP District. This would mean it would be allowed in places like Park Place and Mission Farms.

Chairman Pateidl: Any questions of the Planning Department? Seeing none, I’ll open the Public Hearing.

Public Hearing

As no one was present to speak, a motion to close the Public Hearing was made by Strauss; seconded by Belzer. Motion carried with a unanimous vote of 7-0. For: Hunter, Belzer, Hoyt, Strauss, Coleman, Block, and Stevens.

Chairman Pateidl: Further discussion on Case 99-18? This places the definitions as developed this evening into the Table of Uses. The chair would entertain a motion.

A motion to approve CASE 99-18 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-2.7, TABLE OF USES – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to changes to bank teller machines – was made by Hoyt; seconded by Belzer. Motion carried with a unanimous vote of 7-0. For: Hunter, Belzer, Hoyt, Strauss, Coleman, Block, and Stevens.

CASE 113-18 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-2.5.3, R-1 (PLANNED SINGLE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT) (15,000 SQ. FEET PER DWELLING) – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to exceptions to side yard setbacks. PUBLIC HEARING

Mr. Klein: This inadvertently did not make it into the packet, so staff would like to recommend that it be continued to the October 23rd meeting.

MEETING ADJOURNED