

**City of Leawood
Planning Commission Meeting
February 23, 2021
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: McGurren, Coleman, Block, Stevens, Hunter, Belzer, Hoyt, Peterson, Elkins. Absent: None.

MEETING STATEMENT:

To reduce the likelihood of the spread of COVID-19 and to comply with social distancing recommendations, this meeting of the Leawood Planning Commission is being conducted using the Zoom media format, with some of the commissioners appearing remotely. The meeting is being livestreamed on YouTube and the public can access the livestream by going to www.leawood.org for the live link. The public is strongly encouraged to access this meeting electronically; however, if you wish to comment on a public hearing item, please contact the Community Development Department to make arrangements.

Public comments will only be accepted during the public hearing portion of each agenda item where a public hearing is required. The City encourages the public to submit comments in writing prior to the public hearing by emailing comments to planning@leawood.org. Written public comments received at least 24 hours prior to the meeting will be distributed to members of the Planning Commission. Those wishing to appear remotely using the Zoom format media, should register at planning@leawood.org on or before Friday, February 19th at 5:00 pm. Individuals who contacted the Planning Department in advance to provide public comments will be called upon by name.

Electronic copies of tonight's agenda are available on the City's website at www.Leawood.org under Government / Planning Commission / Agendas & Minutes. Because this meeting is being live-streamed, all parties must state their name and title each time they speak. This will ensure an accurate record and make it clear for those listening only. This applies to all commissioners, staff, applicants and members of the public who may speak. All motions must be stated clearly. After each motion is made and seconded, a roll call vote will be taken. The Chair or staff will announce whether the motion carried and the count of the vote. Reminder, please mute all microphones when you are not speaking. Thank you.

**APPROVAL TO SUSPEND CERTAIN RULES OF PLANNING COMMISSION
DUE TO PANDEMIC:**

A motion to suspend certain rules of the Planning Commission due to the pandemic was made by Coleman; seconded by Block. Motion carried with a unanimous roll-call vote of 8-0. For: McGurren, Hunter, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

APPROVAL OF THE AGENDA

Chairman Elkins: Does staff have any additions?

Mr. Lang: We do not.

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

APPROVAL OF MINUTES: Approval of minutes from the January 12, 2021 and January 26, 2021 Planning Commission meetings.

Chairman Elkins: Are there any revisions to the January 12, 2021 draft minutes? Is there a motion/

A motion to approve the minutes from the January 12, 2021 Planning Commission meeting was made by Coleman; seconded by Block. Motion carried with a unanimous roll-call vote of 8-0. For: McGurren, Hunter, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

Chairman Elkins: Are there any revisions to the January 26, 2021 Planning Commission meeting?

Comm. McGurren: It's very minor, but on Page 15, under my communication, in the first sentence, the word "of" is missing an o.

A motion to approve the amended minutes from the January 26, 2021 Planning Commission meeting was made by Coleman; seconded by Block. Motion carried with a unanimous roll-call vote of 8-0. For: McGurren, Hunter, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

CONTINUED TO THE JANUARY 26, 2020 PLANNING COMMISSION MEETING:

CASE 89-20 STATE LINE MXD – Request for approval of a Rezoning From SD-O (Planned Office) And R-1 (Planned Single Family Low Density (15,000 Sq. Ft. Per Dwelling)) To MXD (Mixed Use Development District), and Preliminary Plan, located south of W. 86th Terrace and west of State Line Road. **PUBLIC HEARING**

CASE 69-20 – HILLS OF LEAWOOD VILLAS – Request for approval of a Final Plat and Final Plan, located north of 151st Street and east of Mission Road.

CASE 09-21 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-3-14, CONSIDERATION OF FINAL DEVELOPMENT PLANS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to the expiration of final development plans. **PUBLIC HEARING**

NEW BUSINESS:

CASE 98-20 – LEAWOOD CITY PARK – AQUATIC CENTER – Request for approval of a Preliminary Plan and Final Plan, located south of I-435 and east of Lee Boulevard. **PUBLIC HEARING**

Staff Presentation:

City Planner Grant Lang made the following presentation:

Mr. Lang: This is Case 98-20 – Leawood Aquatic Center – Request for approval of a Preliminary and Final Plan. The applicant is requesting approval to replace an existing Aquatic Center bathhouse and concessions, while providing the addition of a multipurpose building and bike hub. Currently, the property is within Leawood City Park and is zoned Planned Recreation. The Comprehensive Plan designates this property as Open Space, Public. The project consists of four main structures: bathhouse, concession, multipurpose building, bike hub. The main façade of the bathhouse and multipurpose buildings will be manufactured stone with decorative glass inserts and a prefinished composite metal wall panel. A bike hub is located in the southwest corner of the site and will consist of a semicircular shelter, picnic table, bike racks, bike repair station, and a misting pole. I'd like to note a couple changes in the Staff Report. On Page 3, the number of trees should read 11. On Page 4, the third bullet should include the word *recessed* as opposed to *ground-mounted*. We'd like to remove Stipulation No. 6 on Page 5, as it has been fulfilled by the applicant, as they will provide updated plans prior to Governing Body review and the supplemental material on the dais was forwarded to you today. That would change the total number of stipulations to 20. This application meets all requirements per the Leawood Development Ordinance, and staff recommends approval of Case 98-20 with the stipulations listed in the report. I'm happy to answer questions.

Chairman Elkins: Thank you. Are there questions?

Comm. Block: On the manufactured stone, we've talked a lot with other cases. Is the manmade material only for capstones? Is that where the concern was?

Mr. Klein: They would be allowed to have manufactured stone as long as it meets requirements in the LDO.

Comm. Block: What happens to the pump room? Does that part of the building stay?

Mr. Lang: That portion of the building will be constructed around, but it is a sunken pit that will remain.

Comm. Block: So, the plumbing stays the same?

Mr. Lang: Correct; it is just a building façade.

Comm. Block: Are they matching what is there now, or will it get reskinned to match the new addition?

Mr. Lang: It would receive a new skin.

Comm. Coleman: In terms of the scope of the project, I thought I saw temporary fences blocking the entrance on Lee Boulevard. Is that correct?

Mr. Lang: I believe there is an existing fence that closes the facility when it's not in use. The front portion of that would go away, and the new structure will have a gate that closes the building. It is completely fenced in.

Comm. Coleman: I'm talking about the actual roadway into the park. It looked like there would be temporary fencing.

Mr. Lang: There may be, just during construction.

Comm. Coleman: Is the park being closed during construction, or is it going to remain open?

Mr. Lang: I believe the park will remain open.

Mr. Klein: We also have Chris Claxton, Parks Department Director, who can answer questions.

Chairman Elkins: Thank you. Other questions?

Applicant Presentation:

Brian Anderson, Parks Superintendent, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Anderson: We don't plan to close the park during the construction process. We will have to close off the parking lot to the south of the waterslide and probably the entry turnaround portion where people get dropped off and go into the building. We're going to need that area to work, but the rest should be open, including the playgrounds, dog park, and sports fields.

The building today was built in 1974. Actually, the Aquatic Center was built in 1997. At that time, the pump room was added on, and there were probably adjustments to the building, but overall, the building was still the same and was just remodeled. The reason we're able to save the pump room is we're not changing the swimming pools and plumbing. Actually, the pump systems and chemical feeders are in good shape. The things that are dated are the sand filters, so we'll replace those as part of this project. Everything else will stay the same. A lot of the electrical components and breakers are

mounted on one of the walls. We'll keep that wall, but the exterior and the roof will be replaced with this project. Four years ago, the water line that fills the pool ruptured. The building sustained water and structural damage. We started seeing cracks in the internal walls. We've had some settlement. One of the sand filters has a leak because the floor settled a little bit. We're going to address that issue, but we have the age of the building and some rot with the glue-laminated beams that support the roof. We feel that it's time to start new and get a new building. One of the things we asked our design team to think about is to give us a building that will be a source of inspiration for future improvements since it is the largest in the park. That way, as we progress through updating shelters, we would borrow off some of what you see tonight as far as materials and maybe roof lines. Over time, we would give City Park that same feel as Ironwoods, Gezer, and ILan Park. When our architect goes through the floor plans, you'll see a better experience for patrons. They're going to be able to process through the registration better. We'll have better organization as far as family change rooms and better concession flow. As Grant mentioned, we're adding a couple new amenities with the bike hub and multipurpose room that has amenity programming for both the pool side and also general park use even when the pool is closed. This building will also improve our staff's efficiency. The managers will have better view angles and a better layout of the concession stand. Staff has been pleased with the progress to date. With that, I'd like to introduce the lead architect, Brian Garvey.

Brian Garvey, SFS Architecture, 2100 Central Street, Kansas City, MO, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Garvey: It's a pleasure to be here tonight. I'm going to go through a brief presentation. I'll reiterate a couple things as I go through. The south parking lot to the south of the facility is the one that will be blocked with a temporary fence. It will alleviate concerns around the project. The bathhouse facility is approximately 5,500 square feet. The small concession and outdoor seating area are located on the south and southwest corner. The existing pool mechanical room is what we're going to be saving. There is a lot of residual value in maintaining the surge tank, pump pits, water service, and things of that sort, in addition to the electrical room. Those are expensive systems to duplicate or replace, and there is no real reason we can see to replace those at this point, given that the Aquatic's amenities aren't changing. What should be noted is the majority of the exterior walls around that pump room are going to be removed. Any equipment that is mounted to those walls will be temporarily supported, and the only exception to that is the electrical room, which will remain intact. There is a lot of residual value, and we can maximize the budget by not getting into that and extending it into the new facilities. The sand filters that Brian mentioned are located on the side. They're each about the size of a Volkswagen Beetle. They'll be removed and replaced. Now would definitely be the time to get those out and replace those two filters, bringing them up to contemporary standards. The remainder of the building will include some storage space for the pool, restroom and changing facilities, a breezeway entry, an island-style admissions desk, and staff areas. The multipurpose building is located in the south, and there are two park restrooms shown in blue that are two park restrooms that are accessible from outside the pool facility. The bike hub is farther west.

The pump room and mechanical space at the north end will remain largely intact. The expensive equipment and electrical room will remain. They will create a new storage space. This whole room is getting a little larger as we expand and improve the project. All the rest of the construction to the south of the pool mechanical room will be new construction from the ground up and slabs down. We have men's and women's shower/changing facilities and a pretty big change to the facilities using the incorporation of four family changing rooms facing the deck and accessible off the deck. As folks arrive at the facility, they will have the same transition from the sidewalk up about 14-16 inches to the bathhouse. We'll put a bend in the building to allow more circulation space in the facility but also to front it a little more on the drop-off lane. We'll see renderings of how we're treating the edge and the stairs that exist today. As folks arrive, they will come up, pay admission or scan a pass at the breezeway entry in the admissions island. As they're entering, they'll come to the south side of the island. It clarifies the entrance procedure and arrival procedure for the facility. Guards and first aid space are located adjacent to that. They'll have a visual of the admissions desk from their area. They'll also have a visual out to the pool through some windows. The manager's office is on the corner and has a good visual of all those spaces. They'll even have some interior windows so they can see into the guards' room, to the breezeway, and out to the pool decks. The concessions area is located roughly in the same part of the building as it is today. They'll have an outdoor seating area on the south side, similar but scaled down just a bit and all on the same level so they don't have to go up any stairs to get to the seating area. Deliveries for the facility today have to come through the main entry. There is really a conflict with the delivery procedure and ingress and egress of pool patrons. In this case, we're maintaining that existing ramp. Now, they'll have access to deliveries to concessions on the south side of the building instead of going through the same public access point everyone else goes through. Farther south is the multipurpose space that can be accessed off the pool deck or the parking lot. It's a year-round building. It will be accessed from the parking lot side through a vestibule. It can be divided into two spaces or left as a larger space. Each will have access to its own gender-neutral or family restroom, and there will be a storage space associated with it for putting tables and chairs away or other supplies. That is if it's accessed off the parking lot in more of a year-round use. It could be used as a party room during the pool season. In that case, we have a low fence that encloses the outdoor area right outside that room. There would be access between the pool deck and the patio outside the space. The outdoor seating area for concessions will be next to a serving window and will be separate from the patio space outside the multipurpose space. The fence line will continue around as it does today, but it will jog near the restroom facilities off the sidewalk at the parking lot. Park users will have access to restroom facilities outside the pool season. The bike hub is a portion of the project that was originally planned for last year. The Parks Department was going to do most of the work internally; however, with the pandemic and workloads as they were, the work was delayed. We've incorporated the design of the bike hub with our consultant. We'll bid that project concurrent with the bathhouse and multipurpose building. The bike hub will consist of a shelter around the outside portion and then a patio space or plaza in the middle. Off that plaza area will be bike racks, bike repair stand, drinking fountain with bottle filler, dog bowl filler, and a misting pole for those hot summer days. There will be a couple benches as well. Are there any questions before I continue?

Comm. Coleman: You said the manager's office will be able to see into the guard room. Is that correct?

Mr. Garvey: That is correct.

Comm. Coleman: Will it also be able to see into the concessions area?

Mr. Garvey: We do have a small window into the concessions area.

Comm. Coleman: With regard to the fence onto the deck from the multipurpose rooms, can you go over that again? Is it a 6' fence?

Mr. Garvey: The fence outside the multipurpose rooms will be a lower fence, more like 4' high. We don't need the higher fence because the multipurpose room will open during the season. Once it's outside the season, the pool is closed, and the safety concern doesn't exist as much. That's how it's been approached in similar facilities.

Comm. Coleman: What is the purpose for the fence? How do you get into the multipurpose rooms from the pool? Do you have to go in through the fence and then in through one of the two doors?

Mr. Garvey: Correct; there will be a gate on either side, and you'd be able to access through there.

Comm. Coleman: Then, off-season, will those doors be shut and locked going onto the deck from the function space?

Mr. Garvey: It's an operational question, but I would suggest that yes, those spaces will be accessible if the weather is conducive to it.

Comm. Coleman: It's more of a safety concern that, off-season, people will not be able to get onto the deck from that fenced-in area.

Mr. Garvey: That's a good question. There's a facility in Fairway that basically had a post-and-rope barricade. Again, it's operational, and typically there is someone on-site.

Comm. McGurren: Thank you for your presentation so far. I think it's excellent with some major improvements over time. I have a question that relates to the section that you were sharing related to the restrooms and showers. On our drawing, it is labeled A111 in our packet. When I look at it, I see the men's and women's showers reversed from what you show on the screen. The men's room and men's shower happen to be on the lower portion. It appears to me that the entrance to the janitors' office is from only within the men's room. Is that correct?

Mr. Garvey: I heard two questions. Based on some feedback we've had from Parks Board and City Council members, we reversed the men's and women's showers so that the women's showers were closer to the entry. Now, the entrance to the janitors' office is solely from the women's shower area.

Comm. McGurren: Does that assume that the janitor is only going to be female?

Mr. Garvey: Again, it's not unusual for access from one side or the other. It's not ideal, but typically, those are accessed during off hours. We'll have another space with access to mops and hoses for maintenance.

Comm. McGurren: In your mind, there wouldn't be an emergency use situation where the whole shower would have to be cleared to allow a man to walk through that door?

Mr. Garvey: There's always an instance where a situation like that could come up, but there are other places for janitorial supplies. It is something we could talk about with staff to see if we could access it from both sides if need be.

Comm. McGurren: To me, that would make a lot of sense, but I'm not an architect. Also on this page, does the typical entrance to the storage area run through a restroom? It appears it does here with storage area 102.

Mr. Garvey: There are two ways to access that storage room. One way is through the pool mechanical room, and the other way is directly off the men's shower room.

Comm. McGurren: Which would be the typical use?

Mr. Garvey: Typically, for bringing in materials that are going to be delivered, they'll come through the double doors. Staff requested an access point so they wouldn't have to walk all the way around.

Comm. McGurren: I also have a question that has to do with the Interact Meeting. I assume you'd like me to ask that later?

Mr. Garvey: I don't know that I have a preference.

Comm. McGurren: On the document, Item 3A is a question that was a good one, and it was partially answered, anticipating any construction concerns related to this project and the wastewater treatment plan project and its completion and the timing of both. The answer given only related to the pool bathhouse reconstruction and doesn't comment on the timing or if there are any overlapping concerns between the two projects. Are you aware of any?

Mr. Garvey: Great question. I'm not sure I can answer that. Brian or Chris?

Mr. Anderson: We don't anticipate there being an issue with us using Lee Boulevard to bring in shipments. If there were a conflict with needing to close a road due to repaving, we would need to come off Lee from 103rd to come down. Other than that, I don't see this impacting their project. We're planning on starting after Labor Day this coming year.

Comm. McGurren: Don't they finish the middle of 2022?

Mr. Anderson: Brian Scovill may be able to answer that.

Brian Scovill, City Engineer, appeared before the Planning Commission and made the following comments:

Mr. Scovill: I actually talked to Alex with Wastewater today. They are planning to complete their project early 2022. They intend to do a mill and overlay on Lee Boulevard after July 4th of this year. They want to get that done before this pool project starts construction. That won't take more than a week of work. Any other questions?

Comm. McGurren: That answers mine.

Chairman Elkins: Just a follow-up question about the repair for Lee Boulevard, if Lee Boulevard is used to bring materials in and out of this project for construction, what kind of wear and tear will it put on Lee Boulevard? Is there an issue about doing the mill and overlay work and still having heavy construction coming across later in the year? Are we going to have to do that mill and overlay a second time once the Aquatic Center is complete?

Mr. Scovill: Great point. The answer is that the construction will have an impact on the road. Would we like to move that mill and overlay? We haven't really talked about it. It's possible to coordinate that with the county and their project. They're paying for the mill and overlay due to their impacts. I know they want to get the project done as soon as possible. I don't know that they'll want to wait, but we could talk to them about it.

Chairman Elkins: It just seems like there may be a duplication of expense, and the city would pay for the second mill and overlay, I assume, if it's necessary.

Mr. Scovill: It's definitely worth looking into. I'll speak with the Director of Public Works, and we'll talk to the wastewater team.

Chairman Elkins: Additional questions? Mr. Garvey, as long as you're taking questions, I have a couple. What is the anticipated capacity of the multipurpose room?

Mr. Garvey: I believe it's between 75 and 80 combined with 35 in each room.

Allison Vandever, SFS Architecture, appeared before the Planning Commission via Zoom and made the following comments:

Ms. Vandever: That is correct; 80 would be the maximum capacity for both rooms combined, and I believe it is 45 in the larger room and 35 in the smaller room.

Chairman Elkins: With respect to the access to the outside congregating area for the concession stands, is that inside or outside the perimeter of the pool? In order to use that, would you have to come in through the breezeway and circle around, or is that intended to be accessible to patrons who are not actually participating in the pool activities?

Mr. Garvey: That's correct; it would only be accessed from the pool side.

Chairman Elkins: Can you tell us a bit more about the misting pole?

Mr. Garvey: There are various companies, but the one most people know about is Most Dependable Fountains. It's what you see in a lot of park facilities. It has heavy, enamel-coated steel. That's a good manufacturer for these types of things. The misting pole is very literally that. It's a 7' high galvanized or stainless-steel painted assembly that has a misting element to it. On really hot days, you can hit the button, and it will spray a cool mist.

Chairman Elkins: Is it something I would stay on my bicycle to ride under, or would I park my bicycle and walk under it like I would a shower?

Mr. Garvey: As someone who owns a handful of bikes, I wouldn't recommend you stay on your bike and do it. I would park it and hop off and cool off then.

Chairman Elkins: Thank you. Any additional questions? Mr. Garvey, if you want to proceed, please do so.

Mr. Garvey: I'll pick back up on the roof plan, and we'll go through some renderings. All of the buildings are linked with a trellis structure on the east and south sides and then down the west side as well. The corner is heavily landscaped as well. There's a lot of gear and electrical equipment that exist in that corner. It was a no-fly zone for any new buildings. We are landscaping and screening all that equipment.

From the east looking west, the building on the right side is a butterfly-shaped roof with a valley on the north end. It's metal cladding above and two different textures of manufactured stone below, one of which is burnished. Adjacent to all the colored glass inserts will be a split-face block. It creates a movement toward the entry of the breezeway. You can see the trellis running off from the breezeway to the south. The breezeway will be secured by a large steel and wood sliding gate. When the facility is closed, the gate slides over to secure the breezeway and all the equipment. Police and security are still able to drive by and see into the breezeway. There will be night lighting to keep it illuminated. All the buildings have the same materiality. You'll see some translucent material above, which is a polycarbonate material. The building is all season and will have a thick polycarbonate. Concessions and the bathhouse will be a thin material. All of the aluminum storefronts and framing for the polycarbonate system will be a dark bronze finish. We'll have some matching metal accents and facias. We're

looking at a standing-seam roof for the facilities. There is matching metal to complement that. Any wood used on the facility is EPAY, a very dense hard wood. It's extremely durable. Other materials on the list are limestone seeding blocks along the transition. They'll complement the manufactured stone on the building. For nighttime, we're looking at an up-light LED light along the base of the building behind the landscaping to highlight the building texture and lighting along the trellis and walkway. We have pathway lighting integrated in the face of the stair treads. The pool side of the breezeway has city property at the admissions desk. The gate will secure it on the public side, but we have a coiling door located in the back of the breezeway. That will lower and completely secure the breezeway. There is a pattern in the wall with the textured stone adjacent to the decorative glass inserts to create a movement and draw toward the breezeway. It is a steel structure in its entirety for all the trellis members. It will get a high-performance coating, so it will be low maintenance. The trellis structure stretches out over the concession seating and the multipurpose building. The multipurpose building will have vertical EPAY slats to provide an aesthetic on the upper level but also knock down afternoon sun angles. The multipurpose facility will have lots of light and lots of views out. We've heard from staff and the Parks Board to bring more color to the interior of the pool. We're proposing to paint the trellises as part of the color scheme, picking up on the glass blocks and using specific colors on doors to help with wayfinding. We're looking at integrating planters into the railings and the trellis structure across to help link all three buildings. *Internet cut out.* There are three new windows we are proposing in the mechanical room to get some natural light and also because kids like to see that. The bike hub is a low shelter. What was proposed is a prefabricated structure. Icon Shelters is the basis for design. It's a 10' wide trail as an extension of the trail system. That is the end of the presentation.

Chairman Elkins: Thank you. Are there questions for Mr. Garvey or for Mr. Anderson?

Comm. Coleman: Mr. Anderson, with regard to the multipurpose facilities, does Parks and Rec have a game plan for rentals during the pool season, both when the pool is open and after hours?

Chris Claxton, Director of Parks and Recreation, appeared before the Planning Commission via Zoom and made the following comments:

Ms. Claxton: We do have a plan. Backing up a little bit to some of the previous questions, when the pool is not in operation for the season or when it is closed to the public, the doors will be locked because it would be a safety issue even if the pool was not filled. We also have a game plan for a rental during the pool operation. It would be staffed just like it is now. If it's an after-hours event or if there's a city meeting or an HOA meeting, we would have electronic locks with a code. When the rental is over, it locks. Unless it is something specific where we felt we needed a staff member there, we would not have a staff member on site for some of those other uses I mentioned, like rentals outside of the normal pool operation.

Comm. Coleman: Is the pool currently being used for after-hours rentals?

Ms. Claxton: It is. We don't have a lot of them. We currently only offer it to Leawood residents. We plan to keep it that way for now. Often, they'll start when the pool closes and maybe go until 8:30-9:00. One of the other things I wanted to mention is one thing we do not have is any sort of security cameras or alarms. We will include that in these new facilities.

Comm. McGurren: Chairman Elkins brought up an interesting point about access to park patrons to the concession area. Was that under discussion, and what was the prevailing reason you decided not to place a concession window that might be used for people that don't come into the pool?

Ms. Claxton: That's a very good question. When the pool area was added onto and the pool house was renovated in 1997, there was a concession window that could be accessed from the east side of the building. It was virtually never used. We manned it for quite some time. We had a menu there. It just wasn't a priority for any of the park users. One of the other things we started doing several years ago was allowing people to bring in their own food to the pool. We haven't had any problems. It did not affect our concession sales. It just made it a better experience for our patrons.

Chairman Elkins: Other questions for the applicant? If not, I note that this particular case calls for a Public Hearing.

Public Hearing

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

Chairman Elkins: Are there any comments?

Comm. Coleman: I'd like to thank Parks and Rec. As a former Parks Board member, I know this has been on the itinerary for the long term. I think it's an excellent use of the facilities to start over and put the multipurpose room in. I also have personal experience in that two of my children have worked the concession stand in past summers. I'm not going to relay those stories, but I know they're going to be jealous in not getting to work in this new facility. With that said, I still have one teenager who will work there in the summer of 2022.

Comm. Stevens: I'd like to second what Commissioner Coleman was saying. I commend the city and the design team for the work they've done on this application. The proposed design is very well executed and will be a wonderful addition to Leawood City Park. Thank you for that.

Chairman Elkins: Thank you. Other comments? I would add my joinder in my other commissioners' comments, but I would also specifically recognize the work that you've

done on the bicycle focal center. Mr. Anderson, you've done a great job putting together our bike trails in both North and South Leawood. This focal point really brings that together. It's not gone without notice that you have signs up through the neighborhood so even someone like me without my GPS could find my way along the bike trail. The signs are always there just about the time I worry I've gotten lost. Congratulations on that. I think having the focal point with the map and ground zero for our bike trails is a great addition to a great amenity. Thank you for that. If there are no other comments, I would entertain a motion.

A motion to recommend approval of CASE 98-20 – LEAWOOD CITY PARK – AQUATIC CENTER – Request for approval of a Preliminary Plan and Final Plan, located south of I-435 and east of Lee Boulevard – including stipulations as amended with the deletion of No. 6 and leaving 20 stipulations - was made by Coleman; seconded by Hunter. Motion carried with a unanimous roll-call vote of 8-0. For: McGurren, Hunter, Belzer, Hoyt, Coleman, Block, Stevens, Peterson

CASE 04-21 – MARKET SQUARE – NEW HORIZON ACADEMY (DAYCARE, COMMERCIAL) – Request for approval of a Special Use Permit, Preliminary Plan, and Final Plan, located north of 135th Street and east of Mission Road. **PUBLIC HEARING**

Staff Presentation:

City Planner Grant Lang made the following presentation:

Mr. Lang: This is Case 04-21 – Market Square – New Horizon Academy – Request for approval of a Special Use Permit, Preliminary Plan, and Final Plan. The applicant is requesting approval for a commercial daycare, including a playground and equipment, located in the Market Square development. This development is zoned Planned General Retail. The Comprehensive Plan designates this property as Mixed Use. The main façade construction materials consist of manufactured stone, brick stone masonry, stucco accents, and wood accents. The playground is located on the north and west sides of the building and is surrounded by a 6' tall fence. The southwest corner of the site contains a 3' tall retaining wall, and there are pedestrian sidewalks connecting 135th Street that run north to south on the west side of the property. There are a couple changes I'd like to make in the Staff Report. On Page 5, I'd like to remove Stipulation No. 17, as they have provided an updated Landscape Plan that was submitted electronically and was placed on the dais. That would change the final count to 33. The application meets all requirements per the Leawood Development Ordinance, and staff recommends approval of Case 04-21 with the stipulations listed in the report. I'm happy to answer any questions.

Chairman Elkins: Thank you. Questions for Mr. Lang? It seems that not that long ago, we considered an application for a daycare center a little farther south. Is this a different facility, or have they moved their project?

Mr. Lang: This is a new application, but it's a different entity with no connection.

Chairman Elkins: Other questions? If not, we'd invite the applicant to speak.

Applicant Presentation:

Alan Ruth, New Horizon Academy Vice President, 3405 Annapolis Lane North, Plymouth, MN, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Ruth: Thank you for having us. I will ask our architect, Scott Blank, if we could present the plan.

Scott Blank, SEH, 3535 Van Ness Center Drive, St. Paul, MN, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Blank: As Alan mentioned, we are the design team that is working on behalf of New Horizon Academy for this project. I have a few other team members here who can speak in more detail about civil and landscape questions. I'll give a high-level overview of the project.

This is proposed for Lot 8 as part of the Market Square development. The site is roughly 1.6 acres in size, about 71,000 square feet. In terms of site improvement's, I'd like to highlight some things, starting with the parking fields. We have parking along the east side of the property. On the east edge of the boundary, there is a single row of parking currently that we will utilize as well as the few spots to the south end of that field. We'll add to the field to the west of that for a total of 41 parking stalls, two of which will be handicapped. Our egress into the site is at the northeast corner, and it exists today. There is another egress point or curb cut farther along the west, along the north edge of the boundary. We are proposing to close that off. As Grant mentioned, we have fenced playground areas along the west and north sides of the property, roughly 11,000 square feet. It's actually two different playgrounds: one for toddlers and one for preschool. There are a number of areas dedicated to specific equipment, structure, and elements that are designed to encourage interaction among the children. We have a number of landscape buffers. I think I'll hold that until I pull up the Landscape Plan. We've added pedestrian sidewalks to connect the south end of the site with the rest of the master development. One is along the west edge; one is on the east side between the parking fields; one is along the front sidewalk along the front face of the building. We have an exterior dumpster on the northeast corner of the property, connected to the building. The materials used for the dumpster enclosure will be consistent with the materials used on the building. We have exterior site and building lighting throughout, and we have two bicycle racks that sit at the front of the entry. Moving on to the Landscape Plan, I won't go into great detail. Our landscape architect can do that if necessary. We have a landscape buffer along the entire north perimeter of the property, the west perimeter of the property, and the south perimeter of the property. There are a number of different quantity and variety of plantings, from trees to shrubs to smaller plantings to grasses and mulch. We also have a landscape buffer that runs through the parking islands. Along the front of the building is a 10' landscape buffer between the front entrance of the building and the sidewalk.

The building is roughly 13,008 square feet in size, designed to accommodate 198 children. It's a single-story structure roughly 20 feet in height. There are a number of

different parapet heights to create interest along the side of the building, primarily along the corners. There are also central elements and the midpoint of each elevation. The building materials we've used are consistent with city and development guidelines, including manufactured stone along the base of the building, architectural precast concrete trim for accents, face brick (field material), and stucco on some of the accent panels for the various parapet elements. The main entry has a bit of a courtyard with plantings and bike racks to create a presence and sense of entrance. The sides have similar material palette and colors. We have green accent awnings, which also comply with the master development guidelines. We have internal roof drains that will come down inside the building and tie into the storm line. There are no exposed downspouts along the building. With that, I'll open it up for questions. Alex, is there anything you'd like to touch on with regard to the civil elements of the Site Plan?

Alex Popp, SEH, 3535 Van Nuys Center Drive, Minneapolis, MN, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Popp: The main things I wanted to touch on were the retaining wall in the southwest corner of the site. It will have the same material that the master development calls for, and it will match the existing retaining wall across the access road for existing development. It will be about 3 feet tall at its tallest and will be flat with the ground rising up to meet it going up the access road. The other thing to talk about is the sidewalk that runs from the south along the east edge of the site. It currently goes into the parking island and turns and then goes to the adjoining developments to the east. We're going to be adding the north sidewalk connection through the parking field as well as a connection to the front of our building and a secondary north-south connection from that same one.

Ginny Torzewski, SEH, 3535 Van Nuys Center Drive, Minneapolis, MN, appeared before the Planning Commission via Zoom and made the following comments:

Ms. Torzewski: We have screening for the parking lot to the north and south. We added vegetation that meet both the city and center design guidelines. The 10' buffer is consistent on all four sides of the site.

Mr. Blank: With that, we would open it up for questions.

Chairman Elkins: Thank you. Questions for either the applicant or design team?

Comm. Hunter: Exhibit A is from the Leawood Fire Department. Did you see if a fire truck could fit through the parking lot?

Mr. Popp: We showed an exhibit with a standard fire truck in our design software that we understand to be larger than what the Leawood Fire Department has. We will be getting those details from the Fire Department and providing them an updated exhibit with their actual truck. We have no reason to expect it not to fit through.

Comm. Hunter: The only reason I'm repeating is that it's hard to hear. Is it your understanding that they will submit it to you, Mr. Lang?

Mr. Lang: Absolutely; they will submit it and typically satisfy that before getting a building permit.

Comm. Hunter: I also wanted to know if the applicant approves of all the stipulations.

Mr. Ruth: Yes, we do.

Comm. Coleman: Mr. Ruth, what is the age range for the preschool daycare?

Mr. Ruth: We typically range from six weeks to twelve years of age, which is a school-age program. I'm not an operations person to know what the age group is. It may be in our building plans on the interior floor plan.

Mr. Blank: When we do a set of building plans, we list the ages. It is between six months and one year for infants all the way up to school-age children.

Comm. Coleman: What is your definition of school-age children?

Mr. Ruth: Kindergarten and up.

Comm. Coleman: What are your planned operating hours?

Mr. Ruth: Monday-Friday, 6:00 AM – 6:00 PM.

Comm. Coleman: With your close proximity to Mission Trail Elementary School, do you plan on providing any afterschool care?

Mr. Ruth: Part of school-age care is afterschool care.

Comm. Coleman: With regard to drop-off and pickup, do you require parents to pull in to the parking lot, or do you have a drop-off mechanism for the older kids where they can go in the front door?

Mr. Ruth: Typically, outside of COVID, we have always asked the parents to bring the children inside. School-aged children get bussed to our school, and the driver brings them in the school, or our staff takes them out to the bus. There is a mechanism to protect all children.

Comm. Coleman: It sounds like you're going to have a bus service from at least Mission Trail and maybe Prairie Star Elementary and Leawood Elementary.

Mr. Ruth: It's all being looked at.

Comm. Coleman: In terms of parking lot circulation, are you going to require a circular driving plan?

Mr. Ruth: Typically, we put signs along the front of the building for drop-off. We will ask the employees to park on what I believe is the east side of the parking field. We reserve all the parking up front for parents picking up and dropping off.

Comm. Coleman: Let me rephrase that. When people come into the property, are they going to be required to go to the right, or can they go left or right?

Mr. Ruth: There was no parking plan that I had in place or that I discussed with my team. If it's something you'd like us to consider, we will.

Comm. Coleman: I don't think the city requires something like that.

Chairman Elkins: Let me just follow up on that question. Is there only one entrance and exit to the parking lot for your facility?

Mr. Popp: There will only be one drive entrance into the facility. We have multiple sidewalk connections, but the existing curb cut to the west will be abandoned. Cars will be accessing from there. All of our drive aisles are 21 feet, so it is appropriate two-way traffic throughout the site.

Chairman Elkins: Thank you. Can you give us a little explanation for what your experience is during high times in the morning and afternoon as to what kind of traffic challenges and how you address them with only one entrance/exit?

Mr. Ruth: We currently own and operate over 80 locations, so we have great experience and some idea how the traffic patterns work. With our hours, we typically have a three-hour window that is evenly divided with parents coming in anywhere from 6:00-9:00 AM to drop off children. We feel the same way at night from 3:00-6:00 PM with an even flow of people coming back to pick up children. Even though we have a building of 198 capacity, we would never get that full. Typically, we're 60-70% occupied. With that, about 50% of it is multiple children coming in the same car. It's not as much traffic as one would really think it is, and it is divided quite nicely for us.

Chairman Elkins: Thank you. We'll defer to your experience; it is always just a concern with lots of children and lots of traffic during limited periods of time. Without going into a great deal of detail, I would be curious for your comments in terms of the design of the building or operations. What kind of things have you done relative to security for the building? You have such a concentration of young people in the building.

Mr. Ruth: The safety of the children and staff is number one for our company. I'll talk about the fence around the playground. It goes a little on the side of the building to capture the kids going to the playground. They all exit in a secured fenced area on the playground that also has staff, but we have cameras on the outside of the building, also.

We have security inside through biometrics. All the classrooms are monitored. Security on every door is alarmed. We do quite a bit to protect children and staff.

Chairman Elkins: Do you have the ability to fully lock down the building in the extraordinary event that you would need to?

Mr. Ruth: Unfortunately, in this day and time, there are different things we do. We work with the local Fire Department to see what they allow. There are many devices we can put on a door to make it so that no one can enter a classroom. If there is a lockdown, there are different devices we present to the city and ask if we can use. We've worked with specialists in this field to protect the children and our staff.

Chairman Elkins: Thank you. Are there other questions?

Comm. Belzer: I see toddler and preschool outdoor areas. Do you also have outdoor areas for the school-age kids?

Mr. Ruth: That's actually on the larger playground area. It has to be age-appropriate, so that's why they are on that playground.

Chairman Elkins: Any other questions for Mr. Ruth or his design team? If not, I note that this case requires a Public Hearing.

Public Hearing

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

Chairman Elkins: That takes us to a discussion of Case 04-21. Any comments?

Comm. Hoyt: I think it's a really well put-together plan. I appreciate the attention to detail and also what I would consider the exceptional responsiveness of the applicant to all the questions and the willingness to do what it takes. Well done.

Comm. Coleman: I think this speaks very positively to the City of Leawood that we have had 3-4 of these types of facilities popping up in the same general area within the last several years. Competition is good, and I think it shows the growing force of that part of Leawood in the southern area of the city.

Chairman Elkins: I think it also, hopefully, suggests something about the demographics of our city and that we're not aging out yet. That's all very positive. Any other comments? Is there a motion?

A motion to recommend approval of CASE 04-21 – MARKET SQUARE – NEW HORIZON ACADEMY (DAYCARE, COMMERCIAL) – Request for approval of a

Special Use Permit, Preliminary Plan, and Final Plan, located north of 135th Street and east of Mission Road – with the removal of Stipulation No. 17, leaving a total of 33 stipulations – was made by Hunter; seconded by Stevens. Motion carried with a unanimous roll-call vote of 8-0. For: McGurren, Hunter, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

CASE 14-21 – THE BARSTOW SCHOOL – REVISED FINAL PLAN – Request for approval of a Revised Final Plan, located north of 123rd Street and west of State Line Road.

Staff Presentation:

City Planner Catherine Geist made the following presentation:

Ms. Geist: This is Case 14-21 – The Barstow School – Revised Final Plan. Stipulation No. 12 is being removed. The plan on the dais takes care of that. It will change the number of stipulations to 21.

The school is located within the Leawood Plaza development, north of 123rd Street and west of State Line Road. The applicant is requesting approval of a Revised Final Plan for changes to the façade of the building, addition of a rooftop utility, and some additional screening. The Preliminary Plan and Special Use Permit for this school were approved by the Governing Body in October, 2018. The Final Plan with a Special Use Permit to include a daycare with the school was approved in April, 2019. There are a few primary changes to the façade that staff would like to make you aware of. The first is the addition of a dust collector to the west side of the building. This utility will be screened with upright evergreen plantings. New windows are being added to the west or the rear side of the building. There is front window glazing being updated. A new air conditioning unit is being added to the northeast corner of the roof, which will be screened to match existing screening for another rooftop unit. There are updates to the wall pack and can lighting fixtures around the building that are being replaced at a 1:1 replacement. The replacement fixtures are now downfacing or full cutoff. There are new metal gutters, coping, and fascia. A new set of egress stairs is being added to the back of the building. Currently, they are wood and will be replaced with concrete. The existing brick and roof materials on the building that are planning to stay will be cleaned extensively. This application meets all requirements of the Leawood Development Ordinance, and staff recommends approval of Case 14-21 with the 21 stipulations listed. I would be happy to answer any questions you might have.

Chairman Elkins: Thank you. Questions for Ms. Geist?

Comm. Block: It looks like a lot of these changes might be driven by a downsizing of the project. It looks like, at least from interior renderings, they're only going to use about half the space initially. Is that correct?

Ms. Geist: Yes.

Comm. Block: There's a lot of reference to the dust collector. This is a big unit. Can you explain what it looks like?

Ms. Geist: It is in your cut sheet. It is approximately 12 feet tall from the ground to the top of the collector itself. There's an attachment that's a venting-type system that goes into the back side of the building for more of the wood shop setup. It is a fairly good-sized unit, which is why we went through the screening pretty extensively. The applicant originally proposed five arborvitae plantings. In talks with the applicant and Mr. Klein, we requested two additional screenings. Staff looked at the area, and we were concerned that it would be fairly visible. We're hoping the addition of the two arborvitaes will help to screen it. We have stipulated the height we would like to start at. They are supposed to grow fairly quickly and fill in well.

Comm. Block: I know there was mention of replacing missing downspouts. Is this legal, conforming? This would have exterior downspouts. If it were a new build, it would be required to have interior downspouts?

Ms. Geist: I'm assuming so, but I'll defer to Mr. Klein.

Mr. Klein: We generally require interior downspouts; however, it is not actually part of the Leawood Development Ordinance. They're replacing ones that are damaged, so they're not adding anything new. This is a maintenance issue.

Comm. Block: From the last time we saw this case, I thought there was some discussion of an emergency room. I don't know if it was a FEMA or OSHA standard. Was that ever addressed? I think the city wanted it built to a certain level, but it wasn't required at the time. Has any of that changed?

Mr. Klein: It went through the Building Department, and I believe it is still there. The applicant might be able to address that further.

Comm. Coleman: On Page A003, it shows the existing building from the front, what we previously approved, and the current design. Was there any concern by staff with the windows all on one side of the building? Under the previous approval, it all looks pretty uniform. My concern is that this almost looks lopsided with half of the building having windows toward the front and the other half without.

Ms. Geist: I understand your concern. Staff didn't talk about that specifically. The applicant likely changed the façade to meet different concerns, potentially financially, and to better fit what they want to do now. That may be a better question for the applicant. I believe the half that does not have windows is how it is currently. Windows will be updated and not quite to the level they were before. I'm sure you noticed the big central feature is different than it was previously.

Chairman Elkins: Thank you. Other questions? If not, we would invite the applicant to present.

Applicant Presentation:

Jeff Schutzler, Pluribus, 926 Cherry Street, Kansas City, MO, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Schutzler: Thank you to the Planning Staff and Director for their work with us on this application. I'm happy to answer any other questions. I don't know that I have much to add to Ms. Geist's presentation. I can address the questions about the windows on the south side. It will remain as it currently exists. Part of the change is to address the desire by the community and partners of Idea Space and Barstow School to focus on some of the STEAM education programming. Some of the previous programmatic elements like the daycare facility and some activity spaces have been tabled and are not a part of this application. This is why largely half of the building is being developed at this time. The desire to add windows at the north portion of the building is to provide daylight to learning and education office. We're doing it a little more cost-effectively than completely removing the entire wall to put in the storefront. Previously, the south side also had early education or daycare classrooms, which is why there was more extensive work being done at that site. Not knowing the future program for the south side of the space, the school's approach is to maintain what is currently constructed and focus the amount of work being done on areas where kids will utilize the space.

Chairman Elkins: Do you or your client have any objection to the 21 stipulations?

Mr. Schutzler: The one stipulation that we believed was removed previously would be No. 9. The site is already largely landscaped and does not currently have an irrigation system. Adding that type of expense for existing landscaping seemed burdensome in terms of getting to all the different islands.

Chairman Elkins: Ms. Geist, would you care to respond?

Ms. Geist: I'm unsure of what was approved in terms of irrigation, so I'd defer to Mr. Klein.

Mr. Klein: That is a standard stipulation we have. It is a requirement of the Leawood Development Ordinance. I'd have to go back to the previous plan to see if it was removed.

Chairman Elkins: Do we require it with respect to rehab construction as distinguished from new construction?

Mr. Klein: I don't think it differentiates. They did put in landscaping on the previous plan with the berm on the west side of the building. This application modifies the building. At first, we thought it would be just to the building itself until we found out about the dust collector. In this case, we asked for additional landscaping. I don't know that I would feel comfortable removing the stipulation for irrigation.

Chairman Elkins: The LDO requires it for all landscaping and not just new landscaping.

Mr. Klein: It doesn't break it out, and they are providing new landscaping with this application. We'd hate to have the junipers die due to lack of watering. In addition, we'd hate to see any landscaping on the berm die. I will double check, though.

Chairman Elkins: That makes sense. I'm just questioning existing landscaping. Mr. Schutzler, do you have additional comments, or are you open for questions?

Mr. Schutzler: I am open for questions. I would ask that we are able to investigate the requirement for the existing landscaping since this is largely a tenant improvement and not a new Final Plan. That was our recollection from the previously approved plan.

Comm. Block: Could any more be shared about the longer-term plan for the south side?

Mr. Schutzler: The plan for the south side would be to look at the types of programs that are successful in the north half of the building and provide opportunities to expand that programming in some STEAM-type education. Their idea is serving the needs of different use groups in terms of school-age education.

Comm. Block: If I understood your earlier comments, they don't want to get into the daycare business, which is what was approved with the first plan. Did I hear that right?

Mr. Schutzler: The feedback they received from the community partners and the folks interested in the project was that they were really excited by STEAM-based education, engineering, math, and robotics. For them, the demand for daycare space wasn't a large driver in the project. The focus has been to reconcentrate the effort on where there is a large need and desire for hands-on learning activities.

Chairman Elkins: Other questions? I have a hypothetical question. Let's assume that there is additional function desired for the southern half of the building that may or may not require windows. Can you comment on the challenges of retrofitting and putting windows in after all this work is done as opposed to doing it now?

Mr. Schutzler: I will say "easy," which is a relative term when dealing with large-scale construction. The method in the approach of adding the windows at the north half has been designed and conceived in a way where a series of approximately 5' wide windows can be cut into the existing brick banding around the stucco. The front of the building currently has a series of stucco panels that were probably designed in the late '80s as part of a blind window approach. We've looked at the opportunity, within the stucco panels or brick picture frame, is adding those. I believe the approach to doing that would be similar in the future once the type of educational spaces are designed and understood for that space. The same approach would be taken. Those panels do vary slightly in height from north to south. I don't recall the exact variance along the southern ones.

Chairman Elkins: Would there not be any substantial incremental expense in terms of doing those windows now versus doing them later?

Mr. Schutzler: It is a pretty substantial expense to cut holes in walls and provide shoring at this time, relative to the educational value and natural daylight in the future. As part of another half-building expansion, that cost is justified. At this time, it will be unoccupied space, so the expense would be burdensome.

Comm. Block: What about the safe room?

Mr. Schutzler: (*shares screen*) As an educational facility, this building will have ICC-500 tornado shelters located in the restrooms. This is an existing building, so the approach was to try to find windowless rooms that are always free of chairs and materials. We have utilized the restroom blocks to accommodate the occupants of the educational office and learning spaces. The question came about previously because the City of Leawood had not adopted the 2018 International Building Code. As of last spring, the City of Leawood has adopted the code. The previous approach provided storm shelters that met the requirements in two of the three areas with restroom, water, and shelter space. Previously, one of the areas was for infant sleeping areas. Adding restrooms was not a necessary function of the building. In the current design, they are located in the restroom blocks.

Comm. Block: Since it doesn't call it out, I assume the roof coming off for the exterior courtyard will not happen anymore.

Mr. Schutzler: That is correct. It is not planned with the programming being implemented. The roof is slated to be replaced in its entirety as part of this project.

Chairman Elkins: Thank you. Mr. Schutzler, what is the anticipated occupancy of the building during normal operations?

Mr. Schutzler: The listed occupancy is 384, but that is going off memory. That would include staff, teachers, and users of the facility.

Chairman Elkins: With those two restroom facilities you talked about as a safe room, it seems like a stretch that they would hold 384 people.

Mr. Schutzler: They are actually calculated at 5 square feet per person in each area and the allocation of 10 square feet for an individual in a wheelchair. Each of these accommodates half of that capacity.

Chairman Elkins: I appreciate that you've looked into that.

Mr. Schutzler: They are larger restrooms than what would be required.

Chairman Elkins: Thank you. Any other questions for the applicant? This moves us to a discussion of Case 14-21.

Comm. Coleman: Ms. Geist, assuming that they do renovate the unoccupied storage space on the south end, would they have to come back before us for Final Plan approval?

Ms. Geist: I believe so.

Chairman Elkins: Mr. Klein, have you been able to research whether or not the irrigation system was part of the prior plan?

Mr. Klein: *Inaudible comments*

Mr. Schutzler: We've lost Mr. Klein's audio.

Mr. Klein: I'm sorry. I'll repeat. The LDO does require that landscaping be irrigated. It focuses on new landscaping. As I stated before, there are arborvitae that would be new, which would be covered under this. With the previous plan, they also proposed additional landscaping on the berm on the west side of the building as well. That is the part I'll have to research to see if it was included or taken out with the last approval.

Chairman Elkins: Where does that leave us with respect to a recommendation to the Governing Body for approval? Is it a vote that is subject to the research?

Mr. Klein: With this application and its scope, irrigating the landscaping would mean the arborvitae. I'd have to go back to the previous application to see what was decided for the new landscaping on the berm.

Chairman Elkins: Thank you.

Comm. Block: I think what you're saying is only the new landscaping would have to be irrigated because that's part of this application.

Mr. Klein: That's what we were focusing on. We weren't focusing on the existing landscaping. We have a stipulation that states that everything that was previously approved carries forward except as modified herein. For this, they are adding the landscaping for the screening of the dust collector on the west side. That is what we were focusing on for this project. I'll go back and look at the previous approval.

Comm. Block: That makes sense. The applicant seemed to be afraid that it meant the existing landscaping.

Mr. Schutzler: Is it possible to give the floor to Chris Klein to shed a bit of light on the correspondence from the previous application?

Chris Klein, Hush Blackwell, 4801 Main Street, Suite 1000, Kansas City, MO, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Chris Klein: The only thing I wanted to mention to day was that in previous conversations with city staff on the prior Final Plan, there was a decision made that since our site was a nonconforming landscape plan and that as such, we were permitted under the LDO to make alterations to make it less nonconforming, it would not trigger a requirement to have the entire site comply with existing landscaping requirements. I think that might be what was stated by Mr. Klein as well, so this would only apply to the new areas and not the existing landscaping.

Chairman Elkins: For the sake of clarity for Mr. Mark Klein, would it be appropriate to put some sort of qualifier in Stipulation No. 9 that makes it clear that it refers to this plan?

Mr. Klein: The landscaping currently proposed with this application, maybe.

Mr. Schutzler: As one point of clarification, there is additional landscaping being added at the front of the building as well as nine additional plantings along the berm. We would like to consider those areas to be improvements to be less nonconforming without triggering a need for irrigation.

Mr. Klein: Let me be clear. Stipulation No. 19 states that the conditions and stipulations in the currently approved Preliminary Plan and Final Plan shall remain in full force, except to the extent as expressly modified herein. I'm not saying they don't have to irrigate the other one if that was what was approved with the previous plan. I'm stating that we would go back and look at it, and whatever was approved with that, with regard to irrigation for the rest of it, would stay in effect. This plan is focusing on the new landscaping proposed with this application.

Chairman Elkins: The most recent question was with respect to the small area in addition to the area surrounding the dust collector.

Mr. Klein: I missed that part.

Mr. Schutzler: We are in agreement with Mr. Mark Klein. The previously proposed plantings along the western berm and eastern planting bed were previously approved. The only new irrigation would be for the arborvitae plantings at the dust collectors.

Mr. Klein: That is correct.

Chairman Elkins: Any other discussion of the pending Case 14-21? If not, I think we may be ready for a motion.

Comm. Coleman: I'm still very happy with the Barstow people coming in, even with this revised plan, but I would like to state for the record that if anything is done on the south

side, windows would be the most appropriate thing to put in to match the north side. I'd just like that in the record.

Chairman Elkins: Thank you. With that, is there a motion?

A motion to recommend approval of CASE 14-21 – THE BARSTOW SCHOOL – REVISED FINAL PLAN – Request for approval of a Revised Final Plan, located north of 123rd Street and west of State Line Road – with the removal of Stipulation No. 12 and adding to No. 9, “. . . proposed with this application” at the end of the sentence, for a total of 21 stipulations – was made by Coleman; seconded by Stevens.

Chairman Elkins: I would just add to the comment that this is a very nice resolution of what was a challenge for the city with respect to that particular building. Our thanks to the Barstow School and to their design team to improving that building that has sat vacant for so long.

Motion carried with a unanimous roll-call vote of 8-0. For: McGurren, Hunter, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

Chairman Elkins: Is there other business to come before the commission this evening?

Mr. Sanchez: We want to let the Planning Commission know that there is a meeting on March 9th for the Fire Station.

MEETING ADJOURNED