

**City of Leawood
Planning Commission Meeting
April 27, 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, Belzer, Hoyt, Peterson, Elkins. Absent: Hunter.

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 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

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, April 23rd, 2021, 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 OF THE AGENDA

Chairman Elkins: Does staff have any additions?

Ms. Geist: We want to note that Case 46-21 was originally in New Business and is now on the Consent Agenda.

A motion to approve the amended agenda was made by Coleman; seconded by Block. Motion carried with a unanimous roll-call vote of 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

APPROVAL OF MINUTES: Approval of minutes from the March 23, 2021 and April 13, 2021 Planning Commission meetings and the April 13, 2021 Planning Commission work session.

Chairman Elkins: Are there any revisions to the March 23, 2021 draft minutes? On Page 6, in Mr. Browning's comments, he refers to a two-story unit at about 4,000 square feet for the lower floor and the potential for "tree" private balconies. I presume it was meant to be "three." Also, on Page 7, Commissioner Block was quoted as having issues with the Fire Marshall, and one was resolved, but there was "not" one with potentially the width of the road, and it should be "another" one.

A motion to approve the amended minutes from the March 23, 2021 Planning Commission meeting – was made by Coleman; seconded by Block, Motion carried with a unanimous roll-call vote of 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

Chairman Elkins: Are there any revisions to the April 13, 2021 minutes?

Comm. Peterson: I noticed four typographical errors on Pages 9, 10, and 12. Curtis Petersen is spelled "Peterson" in multiple places.

Chairman Elkins: On Page, 6 "the" should be "then."

A motion to approve the amended minutes from the April 13, 2021 Planning Commission meeting was made by Coleman; seconded by Block. Motion carried with a unanimous roll-call vote of 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

Chairman Elkins: Are there revisions to the April 13, 2021 work session minutes? On Page 19, near the bottom, it says, "passing," and it should say, "passive."

A motion to approve the amended minutes from the April 13, 2021 Planning Commission work session was made by Coleman; seconded by Block. Motion carried with a unanimous roll-call vote of 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

CONTINUED TO THE MAY 25, 2021 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 Residential District (15,000 Sq. Ft. Per Dwelling)) to MXD (Mixed Use Development District), and Preliminary Plat, Preliminary Plan, located south of W. 86th Terrace and west of State Line Road. **PUBLIC HEARING**

CASE 07-21 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-9-55, Car Wash, Full Service., Request for approval of an amendment to the Leawood Development Ordinance, pertaining to the definition of a Car Wash – Full Service. **PUBLIC HEARING**

CASE 36-21 – MOLLE TOYOTA OFF SITE PARKING – Request for approval of a Special Use Permit, located north of I-435 and west of State Line Road. **PUBLIC HEARING**

CONTINUED TO THE JUNE 22, 2021 PLANNING COMMISSION MEETING:

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.

CONSENT AGENDA:

CASE 13-21- CITY OF LEAWOOD 2022-2026 CAPITAL IMPROVEMENT PROGRAM – Request for approval of the 2022-2026 Capital Improvement Program public improvements, facilities and utilities as being in conformance with the Comprehensive Plan.

CASE 46-21 – TOMAHAWK CREEK PLAZA - SIGN CRITERIA – Request for approval of a final sign plan, located north of 114th Street and west of Tomahawk Creek Parkway

Chairman Elkins: Do any commissioners wish to pull items for discussion? If not, I would note my thanks to Ms. Knight for her explanation as to what our obligations are with respect to the Capital Improvement Plan. The recommendation of the Capital Improvement Program includes a specific finding that those projects reflected in the Capital Improvement Plan are within the scope and are consistent with the Comprehensive Plan. If there is no other discussion, is there a motion?

A motion to approve the Consent Agenda was made by Coleman; seconded by Block. Motion carried with a unanimous roll-call vote of 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

OLD BUSINESS:

CASE 44-21 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-2-6.4 – MXD (Mixed Use Development District) – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to residential density.
PUBLIC HEARING

Staff Presentation:

Planning Director Mark Klein made the following presentation:

Mr. Klein: This is Case 44-21 and was heard on April 13th, when it was continued for several modifications. I wanted to draw your attention to a letter submitted yesterday from Mr. Denzer that we forwarded to you. In addition to that, we also have a copy of the Leawood Development Ordinance (LDO) amendment as it is in there. It was left out of the packets but was in the digital packets and has been added to the dais as well.

There are essentially three changes staff is proposing. The first deals with bonusing for different dwelling types. A sliding scale was suggested. Staff changed it to have two qualify for the bonus with a sliding scale, allowing .5 dwelling units per acre for each dwelling type. If a Mixed-Use Development (MXD) had four dwelling types, it would allow for the maximum bonus of 1.5 dwelling units per acre. This should offer more incentive to add additional dwelling types.

With regard to the pedestrian-oriented development, we made a clarification. In the previous language, the requirement for a 10' wide path was unclear. It is meant to be for both bicycles and pedestrians and not just every sidewalk. It was brought to our attention that we could make it even clearer. Under D) Pedestrian-oriented development, the very last line reads, "These additional connections must be designed to reduce the number of conflicts between motor vehicles and bicycles/pedestrians and shall be 10 feet in width for bicycles and pedestrian trails." We would like to insert "shared" before "bicycle" to make it clear it would be both of those together as opposed to one or the other.

The other item we considered had to do with parking requirements for restaurants and bonuses for MXD. Currently, in SD-CR and SD-NCR, we have a requirement for a restaurant to provide one parking space for every two seats or service bays. Staff decided it would not be good to include that requirement with MXD. Some of the commissioners mentioned it at the last meeting as well. One of our reasons is that MXD is intended to promote walkability with cohesive building placement. Whenever parking is added, buildings are pushed farther apart. In addition, pedestrian connections are required between the buildings. If they're placed farther apart, especially with parking lots between them, it becomes much more difficult to make those connections. In addition to that, it wasn't consistent with the MXD that we currently have on the books. When we did the MXD, we considered that one of the primary benefits is shared parking, which would lead to a reduced requirement for parking spaces. Additionally, typically parking is considered with individual applications. Site layout makes a huge difference as far as the effect on parking as well as the types of restaurants, offices, and businesses. A fast-food restaurant will have much different impacts than a sit-down restaurant with a large dining room will have.

Chairman Elkins: Thank you. Questions for Mr. Klein?

Comm. Peterson: The April 25th memo talks about incentives in the middle of the page. Would you mind elaborating briefly on what you are referring to with regard to sustainability?

Mr. Klein: We wanted to add a bonus for sustainability, which has been a goal of the city for a while. We listed a couple items that would help earn a bonus, including electric car charging stations, drought-tolerant plantings, additional plantings over and above what is required, or rain gardens over and above what is required.

Comm. Peterson: Something near and dear to my heart is glass recycling. I don't know if any of you happened to see the article about Ripple Glass in the Kansas City Star recently. Is there any kind of related incentive, such as if a restaurant recycles glass?

Mr. Klein: Currently, we don't have that specifically listed. We had another development that was considering adding Ripple Glass. It takes quite a bit of coordination between the two entities. We would welcome recycling. We changed our LDO to allow for those opportunities.

Chairman Elkins: Could you walk us through the current state of the ordinance for parking in MXD?

Mr. Klein: We'll take a commercial development first because it offers a good comparison. SD-CR requires a parking ration of 3.5-4.5 parking spaces per 1,000 square feet. Additionally, a restaurant would require one parking space for every two seats or one parking space for every two bays. It also mentions a parking study for all zoning districts. MXD has an advantage of a mix of uses with parking peaks at different times. The idea is that the spaces can be shared. MXD requires a parking ratio of 3-4 per 1,000, which is a little less than other districts. It also doesn't have the requirement for restaurants of one space per two seats or per bay. Residential parking usually peaks in the evening and overnight; whereas, an office would utilize the spaces during the day. The parking ratios took into account the opportunity to share the parking.

Chairman Elkins: My recollection is that we fairly recently added a lot of flexibility to the different allocation of uses within the MXD development so that it would have a much smaller percentage required. Does the LDO currently give the city latitude to require additional parking in the event that there's an unusual combination of restaurants and other items that might warrant a different parking ratio?

Mr. Klein: The parking study could be used to provide less parking. For instance, something you might hear often is an apartment complex doesn't necessarily need two parking spaces per dwelling unit. If applicants feel this is the case, they can do a parking study and use Urban Land Institute (ULI) for parking ratios for MXD. A parking study could also be used to require more parking. We included a minimum and maximum in 2002 because the developments would come in with a minimum of five parking spaces

per 1,000, and the majority of the parking spaces weren't utilized most of the time. This led to a lot of impervious surfaces. It wasn't aesthetically pleasing and created more drainage problems. We could consider requiring a parking study if we had concerns, but typically, the minimum requirement is what we start with.

Chairman Elkins: That's what I'm really asking. Do we have the flexibility to require additional parking? I realize that, historically, we've had too much parking. In this combination of uses, it strikes me that there could be circumstances where we would want more parking and less conflict with the day/night uses of the facility. I'm curious if the city could require a traffic study and, if the study mandated it, additional parking.

Mr. Klein: Staff could require a parking study if we had concerns. Since everything in Leawood is a planned district, I believe the Planning Commission and City Council would have the opportunity to look at the parking study.

Chairman Elkins: Other questions? Because this is an amendment to the Leawood Development Ordinance, it calls for a Public Hearing. We had a Public Hearing on April 13th, but there have been modest changes. I note that two members of the public have indicated a desire to speak.

Public Hearing

Paul Denzer, 13100 Beverly Street, Overland Park, KS, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Denzer: I appreciate your entertaining my questions last time and considering the issues I raised. I have talked to Mr. Klein as recently as today. As I noted in my prior correspondence, my focus is really on the potential impact for Case 89-20 that you have now continued. I think with the advancements in discussions there and a new traffic study, I don't have anything further to add. I appreciate the opportunity.

Chairman Elkins: Thank you, Mr. Denzer. As a developer, we very much appreciate your input into this process.

Curtis Petersen, 900 W. 48th Place, Kansas City, MO, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Petersen: Somewhat like Mr. Denzer, I just wanted to make a brief remark because we, on behalf of a good portion of the development community, have been weighing in on the various changes to the LDO and specifically MXD-related provisions over the last several Planning Commission meetings. I really wanted to weigh in and thank you because the professional staff addressed the concepts we raised at the last portion of this Public Hearing. We found them all to be spot on. We really appreciate this process that allows us, as a development community, to dialogue with you, make suggestions, and have staff come back and show that they took them seriously. I really don't have any other comments; I just support what staff has put in your packet.

Chairman Elkins: Thank you. Just as with Mr. Denzer, I want to thank you and the development community for engaging with the city as we go through this process. We very much hope this provides a blueprint as we go forward to additional collaboration between the city, the Planning Commission, Governing Body, and development community. Is there anyone else who wishes to be heard?

As no one else 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 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

Chairman Elkins: That brings us to discussion. If not, is there a motion?

A motion to recommend approval of CASE 44-21 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-2-6.4 – MXD (Mixed Use Development District) – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to residential density – with a change on Page 5, Section D, to insert the word “shared” between “for” and “bicycle” in the last sentence of that section - was made by Coleman; seconded by Block. Motion carried with a unanimous roll-call vote of 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

NEW BUSINESS:

CASE 47-21 – CITY OF LEAWOOD – PARKS MAINTENANCE FACILITY – Request for approval of a preliminary plan, final plan and final plat, located south of 143rd Street and east of Overbrook Road. **PUBLIC HEARING**

Staff Presentation:

Planning Director Mark Klein made the following presentation:

Mr. Klein: This is Case 47-21 – Preliminary Plan, Final Plan, and Final Plat for the Parks Maintenance Facility for the City of Leawood. The applicant is proposing to plat a couple lots north of the current Public Works Facility into one plat on one lot. This would eliminate some setbacks with internal lot lines and would allow flexibility for the types of uses they need. There is a brining station planned for the future and shown on the plans, but it is not included in the Final Plan currently. The development will consist of an admin building, shops, covered storage, greenhouse, and bulk storage. It will have 49,074 square feet in the final portion and 1,118 square feet in the preliminary portion. Brian Anderson, Parks Superintendent, is here as well to speak about the project.

Chairman Elkins: Questions for Mr. Klein? We would welcome Mr. Anderson.

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

Mr. Anderson: I’m serving as the lead project manager for this project. I wanted to share why we need this facility. You may remember the devastating floods along Tomahawk

and Indian Creek Parkway in 2017 that flooded our previous facility twice. We have had water in the building a total of five times. We were directed not to go back to the building. Since that time, we've been spread out throughout the city. We have three different crews. One works at City Park; another, at Ironwoods Park. We were fortunate to have a modest storage building there, so those crew members are working out of that facility. In both of those locations, we've had to purchase storage containers to house some of our goods that can't be left out. The majority of our equipment that is normally in a covered area has been exposed to the elements since that time. We'll extend the life of that equipment if it's properly cared for and covered, like you'll see with this proposed plan. We've had some other issues along the way, including a mowing trailer being stolen and a truck that was warming in the parking lot that was also stolen. Our Police Department found it without its catalytic converter. There have been problems in terms of our staff shuffling equipment. We store equipment at the Justice Center parking lot currently. We have to move items out of City Park to accommodate parking for soccer programs. This facility is definitely needed. Our architect will take you through a brief presentation that shows how it will suit our needs and will enable us to maintain our parks, public buildings, and grounds. It will also accommodate modest growth of staff.

Jennifer Goeke, PGAV Architects, 1900 W. 47th Place, Westwood, KS, appeared before the Planning Commission via Zoom and made the following comments:

Ms. Goeke: Thank you for having us tonight. We're excited to work with the City of Leawood and give Brian and his team a new home after all they've endured. (*sharing screen*) As Mr. Klein described, the whole property is being platted into one lot. That allows us to utilize the space for the Parks Facility and maximize their needs. Everything on the north side of the plan is the new Parks Department Facility. It has an admin building on the corner. There is a carpentry and paint shop as well as storage. There is a horticulture and turf shop in the center and covered storage at both the north and south. They are different depths to accommodate different vehicle lengths. There is also a greenhouse and layout area for landscaping materials to help the Parks Department continue to do a great job keeping the city beautiful. In addition, we are going to take the Public Works and Parks storage material and put them in storage buildings that will meet the LDO. Currently, they are outside in a concrete bunker arrangement. There is a brine station that will be constructed in the future.

The admin plan shows the L-shaped configuration. It serves all of the admin and crew room needs, training room, and kitchen. Between the two buildings is an amenity of an outdoor covered area for staff to utilize during breaks. There is a wash bay on the end of the shop space as well as shared storage and work areas. There is a 110' electrical easement on the east side of the property, which was rather limiting to the layout of the facility. We've located parking, which doesn't need overhead clearance underneath that easement.

We worked to create a look and feel of the building that is very park-like. We're using fiber cement board. The aesthetic is wood, both in color and texture. Then, we have stone and a medium-bronze color storefront. We're using two different colors of the fiber cement to break up the façade. The entrance has a wood timber construction with Glulam Beam construction in the admin area. There's a nice-looking fence and gate system,

intended to give the warm feel of wood even though it is aluminum. This will keep the perimeter secure.

The shop space is quite a bit taller and has two different colors of the fiber cement board. There is some nice translucent glass so that the workers get daylight without passersby seeing in and seeing the equipment. There are operable windows on both the north and south to provide cross ventilation. We show glass and overhead doors to give the workers daylight and a good working environment. There is an outdoor area between the kitchen and training space of the admin building and the shop space. The elevation of the roof on the north covered storage drops down. This is where a lot of the vehicles are stored. From the Overbrook side, the same gate/fence system is there to create the secure perimeter on the west side. The existing Public Works fence line will connect. It is a nice added benefit that the new complex will be in front of Public Works to screen the open storage. All of our building materials and screening for the Parks Facility is doing double duty to serve that need. I welcome any questions.

Chairman Elkins: Thank you. Questions or comments?

Comm. Block: How do the aesthetics of this new facility that we just saw compare to the administration building for Public Works? Also, Brian, you presented on the City Pool and said you were going to try to make a consistent look between the pump room and the buildings. Is this attempting to pull into that as well?

Mr. Anderson: The materials of the Public Works building were approved in an older version of the LDO. The stucco accents could be considered, but we can't use the steel siding. We chose to go with materials we're allowed to use. The grey tone, in my view, is good because being an entry point into town, it is a good look and feel. It fits pretty well with the Medispa building that is being built now. I think we're a good complement to it. The administrative area sits quite a bit farther south on the lot. The colors maybe don't match because they're greyer, and we're more in the beige family.

Ms. Goeke: I think the material selection also speaks to who the Parks Department is. We're using a lot of warm materials and a lot of landscaping. It will have a "park" feel to it along both 143rd and Overbrook.

Mr. Anderson: Some of the rooflines on our buildings are similar to what Public Works roof structures are like.

Comm. Block: Were there different designs for City Pool?

Mr. Anderson: When I made the comment about the Aquatic Center is thinking of that park and future development of that park. We'd like to try to make things similar at that location. That's how Gezer Park is, how I-Lan Park, and Ironwoods Park all are. They were built all at one time. City Park has been more piecemeal. The Aquatic Center will be a great theme to use for future development in the park.

Comm. Block: We got a letter from the Medispa developer, and he suggested reconfiguring it so that his view is better. From the rendering, it looks like it will actually improve the view from that corner. Are there any other ways to reconfigure the look at 143rd and Kenneth?

Mr. Anderson: I reached out to Mr. Sutton. When we did our interact meeting, no one was able to make it. As I understand, he was out of town and couldn't be there. When staff received the correspondence, we asked Jennifer if they could make renderings specifically showing what our facility would look like from his building. I shared that with him and had a conversation. He replied that he liked our setup. He was going to speak, but he withdrew because he likes it.

Comm. Block: So, maybe what was submitted to us came before your conversation?

Mr. Anderson: Yes.

Comm. Coleman: When was your conversation with Mr. Sutton?

Mr. Anderson: He emailed us back at about 5:00 yesterday. I emailed him today around 11:30, saying that we got his correspondence.

Comm. Coleman: I just wanted to establish a timeline because the email that he sent to Mr. Sanchez was dated April 21st. It seems we have addressed his concerns.

The Blue River is relatively close to the new facility. I don't know what the flooding is in that area. Is there any concern about flooding with the new facility?

Ms. Goeke: Part of our assignment is to bring the occupied area of the building out of the floodplain. We are moving forward with that process.

Comm. Coleman: Has there been flooding in that facility that you're aware of?

Mr. Anderson: There has not been flooding there. The site has a storm channel that splits the administrative area and shops from covered storage and fueling station. During that period of time with the Parks Facility flooding, the water had never gotten out onto the streets or out of the basin. It never got higher than the box culverts.

Comm. Coleman: Will there still be equipment at City Park and Ironhorse, or will everything be consolidated at the new location?

Mr. Anderson: That's a great question. There are a few items that we just always use at one of those large parks. They will be stored inside the storage buildings. For example, a large-area mower is inconvenient to transport from one end of town to another. We have several, so we usually store one at Ironwoods and another at City Park. We also have soccer field-specific equipment that we like to keep in that City Park storage facility.

Comm. Coleman: The equipment at City Park and Ironhorse will be in an enclosed, secure location?

Mr. Anderson: Yes, sir.

Comm. Coleman: That brings me to the last concern of security with the new facility. Obviously, I tell my kids to not leave cars running while unattended. I'm not concerned about that portion, but the equipment that is going to be in there is of significant value to the city. What kind of security are we going to have for that facility when it's finished?

Mr. Anderson: We plan to have camera surveillance. We would have building alarms on the admin area in case there was a break-in. The gates will close on timers during off hours.

Comm. Coleman: Obviously, there is not a lot going on there.

Mr. Anderson: We are next to Public Works, which is where the fueling station is. Our Police Department comes and fills up vehicles. They probably visit the facilities intermittently.

Comm. McGurren: I have a question related to flooding. I think Jennifer said that the existing buildings that would be built would be outside of the 100-year floodplain. Is the parking lot and the adjacent portion to the building also outside of the 100-year floodplain?

Ms. Goeke: Yes.

Comm. McGurren: Is any of it within the 500-year floodplain?

Ms. Goeke: I don't know the answer to that.

Comm. McGurren: It sadly happens every 20 years.

Ms. Goeke: Lee is on, and he is our civil engineer.

Lee Ryherd, Uhl Engineering, 4121 W. 83rd Street, Prairie Village, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Ryherd: As Jennifer said, part of this project involved removing some of the area from the floodplain. To do that, we had to model the existing floodplain and then the proposed floodplain with the improvements by filling it in. I just want to confirm that none of the parking and proposed buildings will be in the floodplain. The 100-year floodplain level will be about 4 feet below the proposed buildings' elevations. The parking is all a couple feet above that as well. We also analyzed the neighboring properties. We wanted to make sure none of the properties upstream on the other side of Kenneth were affected by any of the improvements. We also wanted to analyze the

southern neighbor as well. As far as the 500-year floodplain, that typically isn't modeled for the FEMA process. We did size all pipes that go through the property for the 100-year flood so that, in the event of a 100-year flood, there would be no backups and all stormwater would pass through the site. Like you said, 100-year storms don't occur only once every 100 years.

Comm. McGurren: Thank you. I noticed our engineer got up to speak to the 500-year question. Is there anything else to add? Okay, then my second question relates to Wyandotte. The potential widening of Wyandotte from where the City of Leawood stopped with the intersection of Kenneth and 143rd. I don't remember exactly how far the widening occurred into Wyandotte, but it went a little way. I don't think it went all the way to the entrance into Public Works, did it?

Mr. Klein: I don't believe it goes all the way.

Comm. McGurren: I'd had a discussion at one point with Kansas City, MO, about the widening from that point over to 150. It was in their plan, but it certainly wasn't funded and wasn't becoming a project yet. The City of Leawood provided its plans for what, at that point, had not yet been built at Kenneth and 143rd. Did anybody take into account the land that would be used for the widening of Wyandotte as it relates to the placement of the trees? It looked like a dramatic amount of grass between the trees and the building, but has it been planned for?

Mr. Klein: I believe we have the public right-of-way for that section, so the setbacks were taken from that, I believe.

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

Mr. Scovill: With this plat, we will dedicate the right-of-way that is required for the future improvements, so we'll be covered.

Comm. Block: I notice something called sight poles in our packet. I'm not sure if these are street lights. They look similar. It strikes me that this first page looks similar to something we saw for a proposal north 135th and west of State Line that were different than what are typically used in the city. Maybe that was a different situation because those are on the street versus in a parking lot. The style of it made me remember that conversation. Mr. Klein, I didn't know if you had any thoughts as to why we called it out in that one.

Mr. Klein: I just want to make sure I'm looking at the same thing.

Comm. Block: These more modern-looking round ones that say "Cooper" at the bottom.

Mr. Anderson: Jennifer could probably add to this, but I can tell you that in the parking lot, the height is limited. Westar doesn't want lighting any taller than 10 feet. That particular fixture is one that won't be taller than 10 feet.

Comm. Block: It says it's Style LXS Luxscape.

Ms. Goeke: I'll add that we're restricted to the 10' height, so we selected something that was a little bit more aesthetic than a tall sight pole that you would see in a parking lot with the bigger height. At the parking lot, it is a little more design oriented. We do have a couple taller poles that are outside the easement that are more of a traditional parking lot pole.

Mr. Anderson: We tried to actually match what is at the Public Works facility, but my understanding is those lights are discontinued.

Comm. Block: Mr. Klein, I remember them being called out in that application as being different than what was commonly used in the city. I don't know if this is comparing apples to apples.

Mr. Klein: With regard to the 135th Street Corridor, there is a specific design the city is trying to place. That is typically where we will ask for it to be matched. As Brian indicated, they tried to match the current ones. I don't think you'll see the ones that are 10 feet in height under the power lines because that part of the site is off to the southwest.

Chairman Elkins: Are there any other questions? Ms. Goeke, could you put up the rendering that is the view as if we were on 143rd Street?

Ms. Goeke: From which angle?

Chairman Elkins: That's what I'm getting at. I get a little confused. The north view would all face out to 143rd Street?

Ms. Goeke: It would, and the entrance to the parking lot is off the corner.

Chairman Elkins: And then down the street, you had a picture.

Ms. Goeke: It looks back at that same building.

Chairman Elkins: In the picture, does it face east?

Ms. Goeke: It faces southeast.

Chairman Elkins: I think it looks very good. At first, I was a little bit concerned. Others on the Planning Commission have heard me express concerns about buildings that turn their backs, so to speak, on the main thoroughfare. Given the rendering you showed with the landscaping, I think you have done a great job. There's only so much you can do with

a maintenance building. Other questions? If not, because this is a Plat, a Public Hearing is in order. Is there anyone who wishes to be heard?

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 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

Chairman Elkins: That takes us to discussion of Case 47-21.

Comm. Block: Just to echo what you just said, I think it's a very nice plan for a difficult application. It will screen the Public Works area, which isn't as appealing. It was helpful to understand the vantage points. It looks nice in these renderings, especially the ones on the screen as opposed to the ones in the packet.

Comm. McGurren: I completely agree. Congratulations, Brian. You and your team have done a nice job. It looks impressive. It's been a long time coming, and it will be great when it's built.

Comm. Stevens: More of the same. I'd like to commend the city and the architect for what is clearly a thoughtfully designed complex. It was done so on what is obviously a very challenging site. We heard some of the discussion about that. We can clearly see it was difficult to develop such a well-designed project. It should be very nice.

A motion to recommend approval of CASE 47-21 – CITY OF LEAWOOD – PARKS MAINTENANCE FACILITY – Request for approval of a preliminary plan, final plan and final plat, located south of 143rd Street and east of Overbrook Road – to include 29 stipulations - was made by McGurren.

Chairman Elkins: Brian, I should have asked if the Parks Department has any objection to the stipulations.

Mr. Anderson: I really appreciate all of staff's time. Everybody has worked with us, including David Ley, Brian Scovill, Mark Klein, and Ricky Sanchez. They have contributed a ton to where we are today.

Motion seconded by Stevens. Motion carried with a unanimous roll-call vote of 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

Comm. McGurren: This is probably a little bit of a nit, but if I remember correctly, 143rd Street stops at Kenneth Road, and Wyandotte goes from Kenneth to Highway 150. Would the city agree with that?

Mr. Klein: I'm not sure what the name of the road is.

Comm. McGurren: It references that it's south of 143rd Street. I don't think it's exactly accurate. I think it's south of Wyandotte.

Comm. Coleman: I think it becomes Wyandotte once it goes over into Missouri.

Mr. Klein: I'll doublecheck.

Comm. Peterson: I'm looking at Google Maps, and 143rd curves at State Line Road, and Wyandotte heads northeast. Once it crosses State Line Road, it becomes Wyandotte Street, and it does, in fact, intersect with 150 Highway.

Chairman Elkins: Thank you.

CASE 48-21 – PARK PLACE – PLATE (RESTAURANT) – Request for approval of a final plan, located north of 117th Street and east of Nall Avenue.

Staff Presentation:

City Planner Grant Lang made the following presentation:

Mr. Lang: This is Case 48-21 – Park Place – Plate – Request for approval of a Final Plan, located north of 117th Street and east of Nall Avenue. This is the location of the former California Pizza Kitchen within the Park Place development, originally approved with Case 42-06. The property is currently zoned MXD. The applicant is proposing the addition of a new, 413 sq. ft. entry, fence patio allowing for 36 additional seats, and adjustments to the southern elevation windows and roofline. The landscaping and water feature, as approved with Case 48-08 will remain onsite in a slightly different location. The application meets all requirements of the LDO. Staff recommends approval, and I'd be happy to answer any questions.

Chairman Elkins: Are there questions for staff? Mr. Lang, is Plate moving its facility over from Missouri to Leawood, or is this a second restaurant?

Mr. Lang: This will be a second location.

Chairman Elkins: If there are no other questions, is the applicant present?

Applicant Presentation:

Jim Warford, Icon Architecture, 506 Grand Blvd, appeared before the Planning Commission via Zoom and made the following comments:

Mr. Warford: I just want to let you know how excited they are to be moving to this new location. What a great opportunity to introduce a little local flavor to what was a themed restaurant. You know how those tend to come and go. The location is ideal for this. I just wanted to voice my excitement for that. That's really I have to add.

Chairman Elkins: Thank you. To clarify, is this Mr. Warford?

Mr. Warford: Yes, I'm the architect.

Chairman Elkins: Do you or your clients have any objections to the stipulations staff has suggested as conditions to the recommendation for approval? There are 21 of them.

Mr. Warford: We do not.

Chairman Elkins: Are there questions for Mr. Warford?

Comm. Block: I had a little trouble getting bearings. I was under the impression that the area in the front had a large patio. I guess I thought it was the grey area on the Site Plan, but I see tables more in another area. My orientation looks to be off. Maybe the architect could help me get oriented.

Mr. Warford: That is the south-facing outdoor concrete paved area. It is a rather large area that runs right along 117th Street. Really, it is somewhat of a large void space that was not used by California Pizza Kitchen. I don't think it's quite taken advantage of like it can be. We'd like to create some more energy at that corner and draw people into the development even more by taking advantage of outdoor seating.

Comm. Block: So, this is the patio to the south side. There will be no tables on the west side?

Mr. Warford: That's right. There will be no outdoor seating on the west side. It will remain as is.

Comm. Block: There's a fence in the packet that goes around these tables.

Mr. Warford: That's right.

Comm. Block: I think you said it, but there were only planters on that patio and there were never tables.

Mr. Warford: That is correct.

Comm. Stevens: Mr. Warford, maybe it would help to walk through the façade changes. In your submittal is Sheet A2 that clearly represents the existing conditions and photos of the elevations. There is currently the rust-colored stucco and some of the stone. Then, I think Sheet A2.1 is probably trying to indicate the proposed material additions and changes. One thing that's kind of confusing is a lot of the notes still referencing existing materials. I have a feeling you're changing the stucco color and making additional changes. Could you explain the exterior improvements?

Mr. Warford: You mentioned a rust color and the existing California Pizza Kitchen colors. We are trying to eliminate that. In an effort to do that, we will be repainting a lot

of the existing stucco. When you see notes that refer to existing materials, it is existing materials that need to be painted in terms of the stucco. The south-facing façade had a round entryway with a revolving door. The idea is to get rid of both and create something squarer on the front. We'll also change the roofline at what was the entry as well as what was the curved bar area to try to get a different roof edge, get rid of the round-themed California Pizza Kitchen look, and mostly just to take that out of people's memory so Plate can really establish who they are and what they provide. The addition of a new material at both the entry and the knee wall on what is the radius bar area facing south is to go with more of a smooth-cut stone look to try to show this new material palette being added on to the existing building. We'll repaint all the existing stucco to these two different grey-tone colors to tone them down to look a little classier.

Comm. Stevens: You're doing some new metal panel edging and making improvements.

Mr. Warford: That's right. Where the roof edge is being extended out over the entry and the bar area will all be metal panel fascia.

Comm. McGurren: Just to clarify, does the X through the existing trash enclosure indicate it's going away?

Mr. Warford: No, I'm not sure what it represents. It's on the civil drawings we were able to get our hands on. Sometimes, that's a representation of something being open above.

Chairman Elkins: To follow up on that, is the trash enclosure currently attached to the building?

Mr. Warford: No, there's a sidewalk between that and the building. I think that trash enclosure is also used by one of the restaurants across the north drive.

Comm. McGurren: It's closer to the parking garage.

Chairman Elkins: Mr. Lang, we've had lots of discussions about attached trash enclosures. Is this a legal nonconformity that's grandfathered in?

Mr. Lang: Yes, it is, and it is attached to the parking garage, which is part of the overall development.

Chairman Elkins: Other questions? That takes us to comments.

Comm. Coleman: I'd like to welcome Mr. Joseph to Leawood. This is a prime location in the city's Town Center Area. It's also a prime spot for Park Place. It's going to get a lot of eyeballs on it. Hopefully, it will attract a lot of people to the area, including Park Place and Town Center. I think it's a great addition to the city. I look forward to them opening up this fall.

Comm. Belzer: I would like to echo Commissioner Coleman's comments and say I'm very excited that the space is going to be filled. It's been empty for a very long time, and it is a focal point in Park Place. I'm thrilled that it will be filled by a locally owned and delicious restaurant. Leawood is very lucky to welcome Plate to our city.

Chairman Elkins: Mr. Warford, you can tell that the Commission is as excited as your client is about this restaurant coming to Leawood. Other comments? Is there a motion?

A motion to recommend approval of CASE 48-21 – PARK PLACE – PLATE (RESTAURANT) – Request for approval of a final plan, located north of 117th Street and east of Nall Avenue – to include 21 staff stipulations – was made by Coleman; seconded by Block. Motion carried with a unanimous roll-call vote of 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

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

Staff Presentation:

Planning Director Mark Klein made the following presentation:

Mr. Klein: This is Case 09-21 – Leawood Development Ordinance Amendment to Section 16-3-14 – Expiration of an approved development plan. This and the next application, Case 39-21 are clean-up measures we are undertaking with the LDO. State statute changed a little while ago with regard to expiration and vesting of plans. These are intended to match the LDO to state statute. This application changes the expiration of the Final Plat from five years to ten years. I'll be happy to answer any questions.

Chairman Elkins: Questions for Mr. Klein?

Comm. Block: I understand the change has to be made, but ten years seems like a long time.

Mr. Klein: It seems like a long time to me, but it is what is required.

Chairman Elkins: Mr. Klein, there is still an opportunity to extend the Final Plan if the Planning Commission and Governing Body approve it?

Mr. Klein: This is more the Final Plat, and the next is the Final Plan. There is an opportunity to extend that.

Chairman Elkins: Thank you. Any other questions? Because this is an amendment to the LDO, a Public Hearing is required. Is there anyone who wishes to be heard?

Public Hearing

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

Chairman Elkins: That takes us to comments on the pending proposal. I would agree that it seems like ten years is a long time. We certainly have had cases that have gone that long. I guess state statute is state statute. Any other discussion? If not, I would entertain a motion.

A motion to recommend approval of CASE 09-21 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-3-14, EXPIRATION OF AN APPROVED DEVELOPMENT PLAN – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to the expiration of final development plans – was made by Hoyt; seconded by McGurren. Motion carried with a unanimous roll-call vote of 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

CASE 39-21 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-8-2.6, ABANDONMENT OF A FINAL PLAT – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to the expiration of a Final Plat. **PUBLIC HEARING**

Staff Presentation:

Planning Director Mark Klein made the following presentation:

Mr. Klein: This is Case 39-21 and is more of a cleanup measure to agree with state statute. This focuses more on Final Plans. As you indicated, there is an opportunity to have an extension. It limits Preliminary Plans to two years, which is what the practice has been. The real change is from five to ten years for Final Plans. I wanted to draw your attention to a typo on the first line. It should be “ten” instead of “then.”

Chairman Elkins: I think you have them flipped, Mark. You’re referring to the case we just approved, which referenced the Final Plans. We’re not on Final Plat. We’ll note that there needs to be a change in the amendment in B. of the amendment, but then to 39-21 on the Final Plat.

Mr. Klein: Yes, and again, the main change is an increase from five to ten years.

Chairman Elkins: I note that the other change is that, in the existing version of the LDO, the question of the abandonment of a Final Plat is qualified by the purpose of Single-Family Residential, and that qualification is being taken out. Prior to this time, if there was a Multifamily Residential development, what were the rules?

Mr. Klein: I think state statute ruled it was just residential development. Legal looked at it, and state statute didn’t refer just to Single-Family. This is a clarification to match.

Chairman Elkins: Other questions? If not, we note that a Public Hearing is required. Is there anyone who wishes to speak?

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 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

Chairman Elkins: That takes us to commentary. If not, do I hear a motion?

A motion to recommend approval of CASE 39-21 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-8-2.6, ABANDONMENT OF A FINAL PLAT – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to the expiration of a Final Plat -was made by Stevens; seconded by McGurren. Motion carried with a unanimous roll-call vote of 7-0. For: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, Peterson.

Chairman Elkins: Is there any other business to come before the Commission?

Comm. Coleman: I would just like to thank Mr. Klein for updating my expiration date and those of the other commissioners on the Planning Commission website.

MEETING ADJOURNED