

**City of Leawood
Planning Commission Meeting
March 22, 2022
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.

APPROVAL OF THE AGENDA

Chairman Elkins: There is a quorum present. Does staff have any revisions to the agenda?

Ms. Geist: We do not.

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

ELECTION OF OFFICERS

Chairman Elkins: I would note that Commissioners Belzer, Block, and McGurren have all three been appointed to new terms on the Planning Commission and have been confirmed by City Council. I, also, have been appointed by the Mayor for another term. My appointment was approved by City Council as well. Under our Bylaws, we require election of officers once a year. After the amendments of the Bylaws, we have two votes to do this evening. One is to elect a Chairman; two is to elect a Vice-Chairman. Mark or his delegate will serve as Secretary. With that, I will open the floor for nominations for Chair.

A motion to nominate Marc Elkins as Chairman was made by Commissioner Coleman; seconded by Commissioner Hoyt.

Nominations closed.

Motion to appoint Marc Elkins as Chairman carried with a unanimous vote of 8-0. For: McGurren, Coleman, Block, Stevens, Hunter, Belzer, Hoyt, Peterson.

Chairman Elkins: Thank you for your vote of confidence. That moves us to a nomination of Vice-Chairman.

A motion to nominate David Coleman as Vice-Chairman was made by Block; seconded by Peterson. Motion carried with a unanimous vote of 8-0. For: McGurren, Coleman, Block, Stevens, Hunter, Belzer, Hoyt, Peterson.

Ms. Knight: I believe the Bylaws require a Secretary to be elected. We had one version that removed it, and statute refers to it as an elected position.

Chairman Elkins: Thank you for correcting me.

A motion to nominate Mark Klein as Secretary was made by Peterson; seconded by Belzer. Motion carried with a unanimous vote of 8-0. For: McGurren, Coleman, Block, Stevens, Hunter, Belzer, Hoyt, Peterson.

Chairman Elkins: That bring us to the minutes for review.

APPROVAL OF MINUTES: Approval of minutes from the February 22, 2022 Planning Commission meeting.

Chairman Elkins: Are there any revisions to the February 22, 2022 draft minutes? Is there a motion?

Comm. Peterson: I have one minor change on page 6. The fifth item down should be Petersen.

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

CONTINUED TO APRIL 26, 2022

CASE 146-21 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-2.6, SEWAGE DISPOSAL; SEPTIC TANKS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to septic tanks.

PUBLIC HEARING

CASE 25-22 – 8900 STATE LINE ROAD – JOHNSON COUNTY WASTEWATER PUMPSTATION, PS #10/11 – Request for approval of zoning to SD-O (Planned Office), preliminary plan and special use permit located south of 89th Street and west of State Line Road. **PUBLIC HEARING**

CASE 26-22 – 10346 STATE LINE ROAD – JOHNSON COUNTY WASTEWATER PUMPSTATION, PS #13/13A – Request for approval of a zoning to BP (Planned Business Park), preliminary plan and special use permit located north of 104th Street and west of State Line Road. **PUBLIC HEARING**

CASE 27-22 – 11200 OVERBROOK ROAD – JOHNSON COUNTY WASTEWATER PUMPSTATION, PS #14/16 – Request for approval of a preliminary plan and special use permit located south of College Boulevard and west of State Line Road. **PUBLIC HEARING**

CONSENT AGENDA:

CASE 03-22 – CHURCH OF THE RESURRECTION – ADA DROPOFF AREA – Request for approval of a Revised Final Plan, located south of 137th Street and east of Nall Avenue.

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

NEW BUSINESS:

CASE 110-21 – BI-STATE CENTENNIAL PARK – INTERNATIONAL AVIATION – Request for approval of a Preliminary Plan and Final Plan, located north of 141st Terrace and east of Kenneth Road. **PUBLIC HEARING**

Staff Presentation:

City Planner Katherine Geist made the following presentation:

Ms. Geist: This is Case 110-21 – International Aviation – Request for approval of a Preliminary Plan and Final Plan. The project will encompass a total of .63 acres. It is part of the larger Bi-State Centennial Park Business Development and is located north of 141st Terrace and east of Kenneth Road. The project site is currently vacant and is situated to the north of an adjacent office warehouse building, sometimes called the Pars Building. The applicant is requesting approval of a Preliminary Plan and a Final Plan for a 1-story, 2,800-sq.-ft. office/warehouse building on .63 acres along Cambridge Lane. The Floor Area Ratio for the site is .10, and the plans in front of you show one 1-story building that is comprised of approximately 27% office use and 73% warehouse use. This meets the percentage requirement for the BP zoning district. The building is proposed to be 16 feet, 8 inches tall at grade and 24 feet tall at the tallest point on the east side of the site, due to an increase in elevation. The main entrance to the office is located at the north end of the west elevation, and the entrance to the warehouse is centrally located on the west elevation of the building. Parking will be located in an adjacent lot to the west of the building with six proposed parking stalls, meeting the proposed use ratios for the building. There is one vehicular entrance to the property on Cambridge Lane, coming east into the property. A new 5-foot sidewalk is proposed on the west side of the parking lot. This sidewalk will connect with an existing sidewalk to the south of the property right in front of the Pars building. The primary exterior materials for this building include cementitious stucco, full-size clay-fired brick, and phenolic wood composite panels. Lighting is being added to this site with the construction of this building, including three parking lot luminaires as well as downlighting to illuminate multiple locations around the building. Landscaping will be spread throughout the site, including street trees, ornamental trees, and various shrubs. A

landscape buffer surrounds the majority of the building as well as 3-foot landscaping berms accented with trees and shrubbery, situated on the west side of the site to screen the parking field from street view. Signage is not reviewed or approved with this application, as the Bi-State Centennial Park has its own criteria. This application meets all requirements of the Leawood Development Ordinance. Staff recommends approval of Case 110-21 with the stipulations listed. I would be happy to answer any questions.

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

Comm. Block: I see that there are a couple of façade changes requested by staff. Was the applicant willing to make those changes?

Ms. Geist: The elevations on Sheet A200 show the warehouse doors situated more centrally, and staff requested them to be moved more to the south. They're going to be utility doors, and unfortunately, there is not another area accessible. Our goal was to move them out of the main focus. The other request was to extend the brick façade down to grade.

Comm. Block: Will the double doors be moved, or can they be moved?

Ms. Geist: Staff is requesting it; I spoke with the applicant earlier, and it was my understanding that they will be moved. It will be shown at the time of Governing Body. I also understand that the brick will be extended.

Comm. Coleman: This building is adjacent to State Line Road to the east?

Ms. Geist: I don't believe State Line Road extends that far down.

Comm. Coleman: But the state line?

Ms. Geist: Yes.

Comm. Coleman: What are those three buildings to the east of the property?

Ms. Geist: I believe it's a storage facility.

Comm. Coleman: And obviously, those are Kansas City, MO.

Ms. Geist: Yes.

Chairman Elkins: Additional questions? Ms. Geist, I note that there is a note at the bottom of Sheet 1 that says this site is located within Zone X for FEMA. That alerts me to a potential concern about floodplain.

Mr. Scovill: FEMA Zone X is a designation shown on the floodplain maps, similar to other designations, but a lesser degree for flooding. There are A zones, with a 1% chance of flooding in any given year. Zone X is usually upstream from the A zones. Zone X is broken

into future Zone X, which will be the new A zone if everything develops in the area. Because there is a nearby floodplain, we did not require detention. When the larger development was platted and approved, it came through the planning process.

Chairman Elkins: Are there any special requirements imposed upon the applicant as a result of it being in this particular section of the FEMA designations?

Mr. Scovill: If the building itself were to land in the Zone X, we would have to take a look at it. I don't recall exactly where the building falls in relation to Zone X boundary. I'll have to double check on that.

Chairman Elkins: If the building is in Zone X, are there special requirements imposed by us or FEMA?

Mr. Scovill: The City of Leawood's development requirements are that we regulate all designated flood zones as shown on the FEMA mapping, including all A zones. Staff interprets that to include Zone X, so we would require the lowest finished floor to be 2 feet above the 100-year floodplain elevation in Zone X.

Ms. Geist: Sheet 1 shows a note about that.

Mr. Scovill: At this point, I don't feel comfortable stating that the building is out of Zone X because I don't recall off the top of my head. I can check and get back to you in five minutes.

Chairman Elkins: Thank you, and Ms. Geist said the floor was 2 feet above the flood line. Other questions for staff? If not, we would invite the applicant to step forward.

Applicant Presentation:

Jay Green, Anderson Engineering, 1701 Walnut Street, Suite 300, Kansas City, MO, appeared via Zoom and made the following comments:

Mr. Green: This Zone X is outside of the regulated floodplain, so it's all the areas on the FEMA map that are outside the floodplain. There would be no issue with that for this project.

Chairman Elkins: I believe that Mr. Scovill testified that there are requirements imposed on Zone X in the Leawood Development Ordinance (LDO). Ms. Geist added that those are complied with. Is it your understanding that you are in compliance with those provisions of the LDO?

Mr. Green: Yes. I don't have anything else to present. We've worked hard with staff to get everything where it is and where it meets the requirements. We'd certainly be open to any questions anyone might have.

Comm. Block: I know Ms. Geist said you were in agreement to the two stipulations regarding façade. Can you shed any light on that for us?

Mr. Green: It's exactly what was said at the time. These were some late ideas to make things better. Staff had a question about brick because, on that elevation, it showed it stepping down with the foundation wall. We reached out to the architect about bringing it all the way down to grade and moving the doors. He said there was no problem with that.

Comm. Block: Thank you. What does this business actually do?

Mr. Green: The general contractor, Eddie, could probably answer that.

Edward Ysusi, Mar Building Solutions, 1445 SE Broadway Drive, Lee's Summit, MO, appeared via Zoom and made the following comments:

Mr. Ysusi: International provides aircraft permits. They ground-handle flight planning and fuel. They store small aircraft components, such as cabin windows or wind screens.

Comm. Block: So, this building is more for that portion and not the scheduling?

Mr. Ysusi: That is correct. The office would handle the scheduling, ground handling, field distribution, etc.

Chairman Elkins: Is there any concern about hazardous materials within the materials that will be stored in the facility?

Mr. Ysusi: No, there are no hazardous materials.

Chairman Elkins: Thank you. Other questions?

Comm. Hoyt: The applicant is in agreement and is willing to comply with all 30 stipulations?

Mr. Ysusi: Correct.

Chairman Elkins: This matter 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 vote of 8-0. For: McGurren, Coleman, Block, Stevens, Hunter, Belzer, Hoyt, Peterson.

Chairman Elkins: Mr. Green or Mr. Ysusi, do you have any other comments?

Mr. Green: I do not.

Mr. Ysusi: No; I appreciate your consideration.

Chairman Elkins: Are there comments? If not, I would entertain a motion.

A motion to recommend approval of CASE 110-21 – BI-STATE CENTENNIAL PARK – INTERNATIONAL AVIATION – Request for approval of a Preliminary Plan and Final Plan, located north of 141st Terrace and east of Kenneth Road – was made by Block; seconded by Stevens. Motion carried with a unanimous roll-call vote of 8-0. For: McGurren, Coleman, Block, Stevens, Hunter, Belzer, Hoyt, Peterson.

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

Comm. Coleman: Mr. Klein, when we received the Action Agenda this morning, I noticed that City Council approved the new restaurant in Town Center Plaza. I was wondering what the modifications were.

Mr. Klein: The first modification had to do with Stipulation 2C with the fee required to pay for 1/3 of the traffic light at 117th Street and Town Center Drive. Originally, the money would go into escrow. The revision gave the applicant the opportunity to place it into escrow or provide a nonrevocable letter of credit. After ten years, if the city didn't construct the light, the city would release the letter of credit or escrow; however, the applicant was still responsible for 1/3 of the cost of the traffic light. If the applicant did not pay, no building or planning permits would be issued. The language was worked out with Public Works and Legal ahead of time. The second modification had to do with a crosswalk over 117th Street. The path would have to meet ADA requirements. Hereford House did not want to incur the cost to build that. Given that, they discussed traffic calming devices such as a speed table or speed bumps. The stipulations stated that the applicant would have discussions with other property owners and report to staff, with the hope that something would be installed. The reason it wasn't stipulated that they actually provide them is that there were other things that could be done. Additionally, a representative from Town Center Plaza with the ability to commit to that was not able to attend the meeting.

Chairman Elkins: I would note it has been 26 months since we had everybody in the chamber without the masks on. It's nice to see your glowing smiles. Hopefully, this pandemic is almost in our rearview mirror.

MEETING ADJOURNED