

**City of Leawood
Planning Commission Meeting
June 28, 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, Elkins. Absent: Peterson.

APPROVAL OF THE AGENDA

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

Mr. Klein: We do not.

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

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

APPROVAL OF MINUTES: Approval of minutes from the May 10, 2022 Works Session meeting.

Chairman Elkins: Are there any revisions to the May 10, 2022 draft minutes? Is there a motion?

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.

APPROVAL OF MINUTES: Approval of minutes from the May 24, 2022, Planning Commission meeting.

Chairman Elkins: Are there revisions to the May 24, 2022 Planning Commission meeting? Is there a motion?

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

APPROVAL OF MINUTES: Approval of minutes from the June 14, 2022 Works Session meeting.

Chairman Elkins: Are there revisions to the June 14, 2022 Work Session meeting? Is there a motion?

Comm. Hoyt: Regarding your comments at the bottom at the first page, where it says, “it strikes me that the verb should be ‘permissive’, did you mean ‘permitted’?”

Chairman Elkins: No, I was going for an ‘or’ instead of an ‘and’. In other words, the permissive form of the verb.

Comm. Hoyt: I was thinking that was the one where it was stated that 40% of the structure needs to be dedicated, and you were wanting to say that 40% of the structure could be dedicated.

Chairman Elkins: That would be permissive.

Comm. Stevens: On page 3, Comm. Stevens said the requirements for describing the use needs to include “to be a pool cabana” and I think that was meant to be “to include what is required for a pool cabana”.

Comm. McGurren: On page 18, I don’t remember the final quote at the bottom of the page that is attributed to me, so could someone check that? Also, on page 19, the quote attributed to me says “hosing” instead of “housing”.

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

CONSENT AGENDA:

CASE 60-22 – OXFORD HILLS WEST HOMEOWNERS ASSOCIATION – MONUMENT SIGN – Request for approval of a Final Plan located south of 119th Street and east of Mission Road.

CASE 64-22 – LEAWOOD PLAZA – DAN AND CASSIDY TOWRISS IDEA SPACE KC – WALL SIGN – Request for approval of a Final Plan located north of 123rd Street and west of State Line Road.

Chairman Elkins: Does any commissioner wish to pull either of these cases from the consent agenda for additional presentation discussion? If not, is there a motion?

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

Mr. Klein: I would like to introduce Patrick Geschwind as our new Interim City Administrator. We'd like to welcome him.

NEW BUSINESS:

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

Staff Presentation:

City Planner Ricky Sanchez made the following presentation:

Mr. Sanchez: On tonight's agenda, we have three different cases, all of which have to do with the Johnson County Wastewater (JCW) pump stations. There will be some similarities between these cases as they're all connected. However, staff has planned to take each one through as its own case for tonight, as there has been a lot of public interest in these projects. This is CASE 25-22 – JOHNSON COUNTY WASTEWATER PUMPSTATION, PS #10/11 – Request for approval of zoning to SD-O (Planned Office), special use permit, and preliminary plan located south of 89th Street and west of State Line Road. We would like to make a change to Stipulation 8. We left out a pair of parentheses and added an extra comma. These three pump stations work together to capture the flows from the Leawood service area that currently go to Kansas City, Missouri (KCMO), and take them to the new wastewater treatment facility by City Park. This proposed pump station is located at the southwest corner of 8900 State Line Road. There is an existing office building on the north side. The structure will be approximately 17-feet tall on the east side, and 20-feet tall on the west. A parking area is located to the south of the proposed building and will be controlled by a gate with a fence surrounding it. The applicant is requesting a deviation for a 7-foot-tall fence to be allowed around the southern parking area of the structure. Per the Leawood Development Ordinance (LDO), 6-foot-tall fences are the maximum height allowed for utility and service facilities, unless it is granted a deviation up to 8-feet tall. In the letter submitted to the public record, there have been several mentions of different locations where the projects could have been located on the site, and I have a plan showing where those locations are so you have a different idea of what these letters mean and where they would be located. It's hard to see, but the location that is currently proposed at is Site B. The other locations that were proposed were Site A and Site C. There were also several mentions of neighborhood concerns, including smell, sound, lighting, and the look of the

building. The applicant will be able to go into further detail, but staff has worked with the applicant to ensure these issues need to be addressed. We have been promised that the smell would not be an issue, and the lighting would be minimal and only used when servicing the station. The building has decreased 13 feet in height since its initial submittal. The applicant will be removing existing trees from the west side of the property to make room for the pump station. As part of the application, staff has added Stipulation 6, which states that the applicant will work with city staff to look at ways to increase screening efforts along all sides of the structure with evergreen planting so it may be screened year-round. This might be done by changing elevations by adding a retaining wall on the back side to raise up the landscaping. Staff has also added Stipulation 4 stating that the project shall meet all setback requirements per the LDO. At the southwest corner of the project, the fence is approximately 2 feet into the setback required by the LDO. We have made the applicant aware of this issue and they have noted that. They know what the issue is and will be able to make this modification to the site prior to Governing Body. Staff is recommending approval of Case 25-22, with the stipulations listed in the staff report.

Chairman Elkins: Would you mind refreshing the commission on the distinction between a preliminary plan approval and a final plan approval? What items would still be up for review and consideration by the commission if we approved it tonight and it back for final approval?

Mr. Sanchez: At the time of preliminary, you are approving the idea of it. It's the special-use portion of it. Tonight, we're showing the preliminary plan and confirming the zoning that is already on the land-use map of Leawood. This is an older property, which never had a proper zoning ordinance, so that's what this application is doing. This will be something that the commission will see with projects moving forward as we try and clean up the ordinances in our zoning map. Regarding the preliminary plan, it's the idea of it and the location, which can change minimally. On a final plan, the landscaping, elevation, and materials can change. The look of the building can also change, too, if they are not changing a significant amount of what is being proposed.

Chairman Elkins: So, the commissioners tonight will have an opportunity to provide their thoughts with respect to aesthetics and design features, but we won't be irrevocably committed by approving tonight?

Mr. Sanchez: That is correct. It may be helpful for the applicant to hear the Planning Commission's thoughts on the aesthetics so they can take that and change what they currently have.

Comm. Coleman: How many pump stations are currently in the city?

Mr. Sanchez: That would be a better question for the applicant.

Comm. Coleman: Do you know of any pump stations off the top of your head?

Mr. Sanchez: Not off the top of my head, no.

Comm. Coleman: Neither do I. Is this a replacement for another pump station, or is it a brand-new addition?

Mr. Sanchez: These are brand new.

Comm. Coleman: To confirm, location B is where JCW is proposing? And A and C are proposed by the neighbors?

Mr. Sanchez: Site B is where JCW is proposing. Sites A and C are shown at a preliminary stage of them choosing the site and trying to figure out where to put the building at, but Site B is the position that was chosen. Sites A and C were options given by JCW.

Comm. Coleman: Are they acceptable to Sites A and C?

Mr. Sanchez: That would be a better question to ask the applicant. There are several reasons why Site B was chosen, including causing more of a rise on the floodplain, taking out additional landscaping, and having other property owners having to do more work on their property to make it feasible. Sites A and C were contemplated by JCW. When the plans were done, they were always done on Site B.

Comm. Belzer: Do you know what the elevation of the office building to the north is?

Mr. Sanchez: It's about 8 feet from the southwest corner of the office building.

Comm. Stevens: You had made several comments; one being the structured location and adjustment needed for the rear setback, which is Stipulation 4, and the other regarded the ways to adjust in screening and improve the amount of screening, which is Stipulation 6. But then under Stipulation 12, it appears as though there is another staff comment or request of the applicant to make the structure fit in better within the neighborhood context. There's mention of the possibility of including a sloped roof on the structure. Is that a change that the applicant is aware of?

Mr. Sanchez: That's a better question for the applicant. We have talked to them about the different materials to be used, and they did try to match the brick that's there on the office building to the north. Regarding the roof, I'm not sure if they are acceptable to that. That's something that is done at the time of the final development plan. Staff mentioned that the pitched roof would look more cohesive and give it a more residential feel.

Chairman Elkins: It is not intuitive to me that a sewage pump system qualifies as an office zoning. Can you explain how that's the right zoning?

Mr. Sanchez: Within our LDO, it states that utilities and quasi-judicial structures are allowed within any zoning within Leawood, if it has a special-use permit. Not only do these sites need a preliminary and a final, but they must get a special-use permit.

Chairman Elkins: If, for instance, this area had been zoned for residential, with a special-use permit, could a pump station have been cited in that area?

Mr. Sanchez: Correct.

Chairman Elkins: So, the special-use permitting addresses any restrictions that there might be as a result of the other zoning?

Mr. Sanchez: It gives the city more power and direction into seeing if that use would fit in that location, and if the aesthetics are up to par. It gives us more control regarding what we can and cannot do.

Chairman Elkins: Is staff aware of any prior history of nuisances from smell, light, or failure to maintain the pump station sites in accordance with the requirements in the LDO?

Mr. Sanchez: Not necessarily regarding the pump station, but we have heard that with the wastewater facility on Tomahawk and College that there is an odor coming from that and the lights are intrusive. That is a much larger development, and everything was raised out of the floodplain with that one.

Chairman Elkins: Do we have any indication that the wastewater facility is violating the standards?

Mr. Sanchez: Staff does not know currently that they are violating anything. We are currently making sure everything is being met.

Applicant Presentation:

Isaac Crabtree with JCW, 4800 Nall Avenue, Mission, KS 66202, made the following presentation:

Ms. Pekarek: This project is important to the county because it will maximize our investment in the Tomahawk Wastewater Treatment Facility, which was recently completed. This project will allow us to save our rate payers \$100 million over 20 years, through the reduction of those operating expenses that were discussed in the presentation by your staff. We will be able to divert that flow to our new Tomahawk facility and treat that ourselves. With that, I am going to turn this over to Isaac Crabtree, and he will be making the presentation now.

Mr. Crabtree: I am with JCW and our business address is 4800 Nall Avenue, Mission, KS 66202. The first of the 3 we are going to talk about is Pump Station 10 and 11. This is located at the southwest corner of 89th and State Line. This is Case 25-22. As Susan mentioned, we have a new treatment plant, and it has been a big investment for the county. Part of the plan was to originally include flows from the Leawood basins. The plant was designed to accept flow from Leawood later when these pump stations would be constructed. The facility will save Johnson County residents an estimated \$785 million over 35 years. That includes the contributions from Leawood. The gray area on the map is

the sewer sheds that are currently served by the Tomahawk Wastewater Treatment Plant. Leawood and Dyke's Branch are showed in the green and yellow areas. Those are the areas that we are going to intercept flow with these pump stations and pump that flow to Tomahawk. The actual service area will get larger as a result of this project. The dashed line you see on the left side is Mission Road, and that represents a force main from one of our pump stations. Each one of these areas that is designated by a different color is a sewer shed. The topography in Leawood slopes from west to east toward KCMO. Right now, all the sewers in these basins drain to the east and across State Line into KCMO for treatment. We have several interagency metering facilities, or IMFs, and those are all denoted by the numbers and the dots that you see. Sites 10 and 11 are shown at the confluence of 2 interceptor sewers that come from the green water shed and include some flow from the Dyke's Branch watershed. That's the project that we're talking about with this case. The next two cases will be Site 13/13 A, which is shown in the purple area down close to Gate's Barbecue on 103rd and State Line, and Site 14/16, which is at the north end of Hallbrook at the edge of the golf course. The blue line represents if we were to do nothing and continued to send our treatment to KCMO for the next 20 years. The yellow line represents if we were to build these pump stations. You'll see the initial investment in 2025 of roughly \$30-35 million. The line starts out higher, but there's a shallow slope because our operations and maintenance cost to treat it with our own facilities is less than what it would be if we sent it to KCMO. Our break-even point is estimated between 6-7 years, and after that point, we'll be saving money. Finally, there's a project map I wanted to show you. Pump Station 10 and 11 is at the very top of the page, force main extending down State Line Road will be installed, taking the flow from Pump Station 10 and 11. At 104th and State Line is Pump Station 13/13 A. That will pick up more flow and force it through same force main. The last pump station is 14/16 and those flows will be pumped into the same force main and ultimately go to Tomahawk Wastewater Treatment Plant. I wanted to mention that Johnson County has entered into an agreement with the city of Leawood and the interlocal agreement sets up the framework for how we agree to manage those community impacts, as far as the stipulations are concerned. We have this signed by the Governing Board of the City of Leawood, and the Board of County Commissioners.

Chairman Elkins: There are a series of stipulations that are included in the report that staff provided to us. Does JCW have concerns about any of those that we will need to address tonight?

Mr. Crabtree: I don't foresee the stipulations that we've seen, including the ones added tonight, being an issue. There might be one worthy of talking about, but as far as I can tell, it's what we've already been discussing with the City of Leawood staff. I can't act on behalf on the Board of County Commissioners, but I don't see any concerns. I'm not recommending an objection that I'm aware of now.

Comm. Stevens: You mentioned the 3 pump stations that are part of the project area before us, but there was a 4th one: Pump station 12.

Mr. Crabtree: I neglected to mention that I'm sorry. The Dyke's Branch and the northern area that's green and red goes through Sites 10 and 11. The blue area, which is Site 12, is

right across from Hallbrook, and it's a very small contributing area. It did not make financial sense to do anything with that. That portion will continue to go to KCMO and be metered. It's not a pump station, it's an IMF. It flows through and gets measured.

Ms. Frame Hertzog: My name is Ann Fame Hertzog and I work with Shockey Consulting in JCW. Our business address is 7944 Santa Fe Drive, Overland Park, Kansas 66204. Knowing that the whole State Line force main project would be involving different neighborhoods, the project team wanted to make sure we had extensive outreach. In addition to the 200-foot requirements for the certified return receipt letters sent out for the Interact, we expanded all our notices for the Interact to a 500-foot boundary to make sure that we were including everyone that might be impacted by this. We mailed out the Interact letters to the 200-foot, and we also mailed out postcards in the 500-foot range. This postcard was sent out at the same time to all 3 pump station locations, along with Interact letters. We had an Interact Meeting in person on March 8th, which was a group meeting with all 3 pump stations. Then, on March 9th and 10th, we had follow-up virtual independent meetings for each of the 3 pump stations. At those meetings we took in information, questions, and concerns. We also had calls and emails with residents after the Interact Meeting. At that time, it was decided that to address all the concerns that the team was receiving, we would have another public meeting. We had this on May 10th, and we sent out a postcard to everyone about Pump Station 10 and 11 to discuss those concerns. At that meeting, we received further input. At that point, we decided to put up a website to make sure all the information was available to everyone. The website included all 3 pump stations and had recordings of the meetings and all the information from them, as well as all the slide show presentations. We also sent out another postcard to everybody within 200 feet of all 3 pump stations to make sure that they knew about this meeting. Those were sent out on June 16th, right after the website went up on the 13th, to make sure that they knew about this meeting and that they knew the website was launched.

Mr. Crabtree: We sincerely appreciated all the input and the participation from the residents. We don't always get good feedback, but we did this time, and it was in a respectful and professional manner. You're looking at an aerial of State Line Road, which is in the north-south direction. The sewers are shown in red and blue and are separated by sewer sheds. The sites that we're talking about intercepting flow are at IMF-10 and IMF-11. These are the current places that our sewer flows across State Line and into Missouri. We looked at a few different sites; 5 of those are shown here. We were looking for the best site that minimizes impact and was low cost. We were able to eliminate all but one. We looked at proximity to existing structures, feasibility of construction, disturbance to the park. For example, Site 5 is located on the north end of the 8900 State Line property and in order to make that site work, we would have to do significant construction, such as deep sewer excavation in the park and removal of several trees on both sides of the Dyke's Branch Creek. That one was eliminated for disruption and was considerably more expensive. Site 4, at the top of the screen, was a fairly good location, but it didn't meet the goals of the project. At that location, we could only intercept about 81% of the flow. Site 2 was too close to an existing structure, and Site 3 is on the KCMO side, so we don't have jurisdictional authority there. We are recommending Site 1, which is preferred based on the proximity to the existing sewers that are there; it's accessible, it intercepts all the flow,

it avoids disruption of the park on the west side, and it's the lowest cost alternative. Once we picked Site 1, we went through an evaluation to see where the best location on the property would be. We started looking at location A and B and presented that information to the residents at our public meeting. They suggested afterward to look at Location C. We did, and that was the reason we scheduled another meeting; we wanted to present our findings from that evaluation. The results of the flood model for Site A showed that all the properties outlined in red would be impacted by a rise in the floodplain. Because of that, it would require a certified letter of map revision (LOMR) to be submitted through the Federal Emergency Management Agency (FEMA) and that approval process. We didn't like that; we don't want to negatively affect properties with a flood rise, even if it is minimal, so we looked at moving it to Location B. After running the flood model, we found that it only had a minimal rise to the flood way encroachment. The flood plain itself didn't show a rise, so it meets no rise. The 2 properties that were impacted in the flood way are the City of Leawood Park and the property owner. This is considered a no-rise scenario and requires no submission to FEMA. We looked at Location C and ran a flood model again. 11 properties were impacted by a base flood rise, which are all shown in red. The blue fill that you see is depicting the floodplains. With all that, our recommendation is Site 1, Area B because it collects all the flow from the sewers going through that property, it has the least floodplain impacts, it's the most equidistant from other structures, and it's closer to the commercial properties than to the residences. In working with the property owner, we arrived at a mutually agreeable location for the pump station that minimizes the potential for conflicts with current and future use with that property by the property owner and it meets or exceeds the requirements of Leawood's development code. Mr. Sanchez pointed out that there is 1 spot that is technically inside the setback, and we will adjust that prior to presenting to the Governing Board. Site 1 was the lowest project cost as well. One of the things that was requested of us after talking with the planning department was that it might be beneficial to do a tree count. This is usually done at the final development plan process, but we decided to do it here to show what the impact would be. We didn't have a certified arborist do it, we had a surveyor. For the final development plan, we'll have a certified arborist. We're proposing to use shoring around the excavation to minimize disturbance, thereby saving as many trees as we can. This is our original landscaping plan that we presented at Interact Meetings in early March. We had a few trees on the west side and a few shrubs on east side. After getting resident feedback, we went back and added more landscaping. We realized after the tree count that we needed to add more trees to meet Leawood's requirements. We worked with the Parks Departments and got a recommendation as to what we could do to improve screening. We added an additional 10 trees along the walking trail in the park. We're proposing to plant 65 trees, many of which are evergreens. This is our final concept, which looks different to what we proposed at the Interact Meeting. To get into the pump station, because it's in the floodplain, one must go up the stairs to get to the wet well, which is elevated above the floodplain with the required distance above the floodplain per the LDO. To get into the facility, we proposed moving it to grade, rather than having a tall structure. We worked with the consult team, and they came up with a concept where we could put those items at grade around a flood wall. To get down to the electric room and the odor control equipment, you must go down a set of stairs. All of that is protected from the flood in a single-story building. This is we presented at the Interact Meeting. We got comments that it was ugly, so we dressed it up with

different colored bricks and some accents. We're now at a building height of 17 feet, which is 13 feet shorter than it was before. Everything is at grade with a flood wall around it, and the only thing you'll be able to see is the brick and the railing and light post. Here are a few aerial renderings. This is a picture rendering looking from State Line at an aerial view. This would be after construction, so the trees are relatively small. We took some drone footage to do some more renderings. This is a view looking east. You can see the pump station nestled behind the trees, and this is helpful at looking at how the pump station will be screened long term. We have an orientation shown here and you can see the pump station behind the trees. This is a view looking southeast in the winter; no leaves on the trees, right after construction, and the trees are not a mature height. Our consultant team put together a 3D tree to put leaves on it, and tree placement is accurate. As far as odor control is concerned, we are applying the best available technologies. We're attacking odors in 2 different ways. One of them is vapor phase carbon scrubber. We run that through a carbon media canister using an odor control fan, and the carbon media absorbs all the hydrogen sulfide and reduces sulfur compounds. The fan will be monitored remotely using our SCADA system. That will let us know if there is something wrong with the fan so we can fix it immediately. These are very reliable odor control systems that are effective if the fan and media are working. A chemical injection is intended to prevent odors in downstream facilities. As we pump it to the treatment plant, at high points in the line, we will have air release valves that will periodically release air from the force main. There's a chemical called Bioxide, which is a calcium nitrate that prevents the formation of H₂S, which provides odor control for those downstream facilities. We're doing both of those. We do have an odor control hotline if residents have concerns. There are only two things at the pump station that generate any noise, which are the pumps and fans. The pumps are going to be below grade by 25 feet and they'll be underwater with a concrete top. You won't hear it offsite. The odor control fan will be in an acoustical enclosure, and it will be surrounded by walls. The noise will be controlled, and we will meet or exceed the 60 decibels at the property line. We've targeted August 1st, based on what we know about the appeals process that is allowed to happen after this. Engineering design is going to start this summer with a different consultant than the one we're using now. HDR has been responsible for the planning, but another designer will be pursuing the design of the project. That will last about a year, and we will bid the project and award it to a contractor. We expect construction to start in the fall of 2023 and will last approximately 18 months, with completion in April or May of 2025.

Comm. McGurren: Beyond the 3 pump stations, will it be required to lay new infrastructure and new piping all along State Line?

Mr. Crabtree: Yes. There will be a force main pipe that will be along State Line Road. At this point, we're looking at the inside southbound lane of State Line from 90th Street to just before the intersection of 103rd and State Line.

Comm. McGurren: So, if I heard you correctly, a new pipe is required and it's going to be under State Line Road? And approximately how big is it?

Mr. Crabtree: That's correct. It's a 20-inch pipe.

Comm. McGurren: So, for a portion of those 18 months, that road would be down to one lane in the southern lane?

Mr. Crabtree: Yes, during construction.

Comm. McGurren: And the city staff has worked through that portion of the project? There's not a word about that in this.

Mr. Crabtree: Yes, we have been talking with city staff about that. I believe that these cases were isolated to the pump stations themselves, but we have talked to the city staff about the alignment and have agreed on a preliminary alignment. We are still in the process of getting easements, but we have been working on that with city staff.

Comm. McGurren: Does that indicate that the pipeline itself is a different case?

Mr. Klein: If I may, the pipe is underground and they've been working with the public works department, so there's a lot of utilities that get installed under the streets. Those typically don't come to the Planning Commission because they aren't visible. You see things that are above ground.

Comm. Hoyt: These fans, from what you describe, operate 24 hours a day?

Mr. Crabtree: Yes, they're nonstop.

Comm. Hoyt: Reference was made to the 60-decibel limit at the lot line, correct?

Mr. Crabtree: I believe that is the requirement, but that is not necessarily what will be heard. We will be under that, but we haven't done extensive study to determine the actual decibels. It will be designed to meet or exceed that requirement.

Mr. Klein: The 60 decibels is required by the City of Leawood as the maximum. That sounds like a conversation between 2 people at a 3-foot distance.

Comm. Hoyt: How close is the closest private home that would be proximate to the lot line?

Mr. Sanchez: Staff did measure that, it's to the southwest of the proposed site. It's around 80 feet away.

Comm. Hoyt: So, from the lot line, there'd be nothing more than a minimalist conversation that would have to be heard from 80 feet?

Mr. Sanchez: Yes.

Comm. Belzer: How frequently do you receive odor reports from residents in other areas?

Mr. Crabtree: I'm not sure I'm the best person to answer that question. We do get them from time to time, but I don't know the frequency.

Ms. Pekarek: I don't know the exact number, but we generally set a goal of 10 odor complaints or less, and we typically meet those goals.

Comm. Belzer: 10 in what time frame?

Ms. Pekarek: In one year.

Comm. Hunter: When the JCW Treatment Plant went through the massive overhaul, did you know that these interceptor pump stations were going to be needed?

Mr. Crabtree: Yes, it's part of our integrated plan. That's why the design of the treatment plant has capacity to receive the additional flow from Leawood.

Comm. Hunter: You mentioned that you didn't want to go to FEMA for approval to change the location. Is that accurate?

Mr. Crabtree: Yes. We do our best to limit impact, and there are things that are subjective and obviously important, but this is something that's within our control. If we can move it to a location where we don't have to go through the certified LOMR, that's ideal. While the certified LOMR might pave the way for the project to proceed, it doesn't change the fact that there will be a flood rise. All the properties that would be impacted would have to be notified, and it was going to be a several month process with FEMA to get that ironed out. Even if they let us go forward, there will still be a flood rise. We try to avoid that when we can.

Comm. Hunter: What do you mean by a flood rise?

Mr. Crabtree: There's a base flood elevation, and there are floodplains that have been modeled by FEMA. If you make any modifications in the limits of the floodplain, and specifically within the flood way, which is the area that conveys the flow, it is a constriction that causes the water to rise. We try to put it in a place where that wouldn't happen.

Comm. Hunter: In this area, there's a creek that runs through there, so isn't this area already in a floodplain?

Mr. Crabtree: It is in a floodplain. It would be whatever that floodplain elevation is. By building a structure in the wrong spot, the model shows that the flood elevation goes up.

Comm. Hunter: So, there's a concern that the houses that are on the hill will be flooded?

Mr. Crabtree: Our model doesn't indicate that it would raise that much. We're not talking about a 5-foot increase; it's a minimal increase. If we can put it in a place where it doesn't cause a rise, that would be our recommendation.

Comm. Hunter: If you moved it, you would have to get FEMA's approval because of the change in the rise, correct?

Mr. Crabtree: Correct.

Comm. Stevens: In the feasibility studies on the 3 sites, is it safe to say that Site B had little-to-no impact on the flood? You wouldn't have to amend that or go through that process because it was such a small impact? What's hard for people to understand is that the next site adjacent to it, with the same footprint, created a large increase. The likeliness of that is because of the width of the floodway in that area. Even around the corner, compared to Site B, has a wider breadth of the water. By just barely moving the structure, you're making a larger impact into the flood way, which in turn raises the water. Is that correct?

Mr. Crabtree: Yes. If you think about the fact that it's a rectangular structure, if you point the narrow end in the direction of the flow, rotate that 90 degrees, now your blockage is larger. Plus, there are 2 creeks, and during a flood, minor differences can make a sizeable difference in the model itself. Ron Hardee works with HDR and did our flood modeling and will tell you more about this.

Mr. Hardee: I'm Ron Hardee with HDR Engineers, 10450 Holmes Rd., Suite 600, KCMO 64131. 0.01 feet is what meets the no-rise. When FEMA developed the National Flood Insurance Program, they developed that standard. Whenever you fill in the floodplain, you can increase it by more than 0.01 feet. Otherwise, you would have to go through the conditional LOMR with a follow-up at the end that officially amends the floodplain maps that were published. With the rotation, we ran a 2D model to track velocity vectors through the floodplain. By packaging the site we're at right now, we've reduced our hydraulic shadow of the building, which minimizes the impacts overall. When we rotate the site and lengthen it out, it hits a wider breadth of the floodplain, which causes that rise. These would never flood any properties; it's just a very minor impact. It's more the schedule impact. Just to go through the conditional letter map revision, you had to plan on a 9-12-month review process with FEMA. Then, as a follow-up, at the end of the project, there's another 6-9 months amending the map itself. It's beneficial to avoid that from a project standpoint. Every year, for this specific site, it cost them \$2 million to pay Kansas City to treat the flow. That could have a schedule impact overall, which could increase that cost and reduce the savings to the residents.

Comm. Stevens: It seems like there's an obvious preference for Site C, which is closer to State Line. It's higher in elevation, but it may have a similar impact on the floodplain.

Mr. Hardee: That was the one that impacted 11 of the properties. The maximum rise there was in the 200s, but it had the 11 properties that we would have to get approval from. The

blue is showing the floodplain limits overlaid on those 11 properties. It's much bigger than that, but it was just a highlight.

Comm. Stevens: Is the change that was shown in blue a foot of change?

Mr. Hardee: No, it was 1/200ths of a foot. It's very minimal. That's the standard we must meet.

Comm. Stevens: The rendering of the pump structure appears to just be walls without a roof. Are there lower roofs, such as the electrical room and the control room?

Mr. Hardee: There will be a roof above all the electrical equipment. The chemical itself will be in a double-walled container sitting outside. The pump that feeds the chemical will be inside.

Comm. Block: With this open roof, I envision the fans blowing up the odor.

Mr. Hardee: Yes, they will release the air out to the environment and the prevailing winds of that day will take it back.

Comm. Block: So, what happens if we put a pitched roof on this?

Mr. Hardee: You would have to run a vent up to the roof to exhaust that. I would envision a 12-inch type style.

Comm. Coleman: Several years ago, when JCW came before us, we talked extensively about the wastewater being sent to KCMO and how this new station that we were building at the time was going to save JCW a lot of money. At the time, I don't remember discussing additional needs for pump stations. Why is the pump station needed to keep the wastewater in Johnson County? Are you able to turn it off, or do you need other facilities?

Mr. Crabtree: Right now, all the flow goes through those interagency metering facilities, and we meter our flow so KCMO can send us a bill for treating our sewage. The bill that we pay them on an annual basis, for these 3 sites, is roughly \$4.5 million. By intercepting the dry weather flow, the average flow when it's not raining, we're going to design the pump stations to be able to convey 2 times that quantity to our new treatment plant. Therefore, we won't be paying that bill to KCMO; we already have the capacity in our treatment plant to handle it. It could use more flow right now; it's designed to operate with more flow. That is something that was factored into the design. By stopping that flow and sending it to our treatment plant, we're no longer paying that bill to KCMO. Anything that is beyond that flow will be able to overflow and go to KCMO. Roughly 10% of the volume will still go to Kansas City on an annual basis, but 90% will be intercepted and pumped to our treatment plant.

Comm. Coleman: I understand that it's going over, but if the wastewater is flowing right now, what does the pump station do? Does it just get more volume down to the wastewater treatment plant?

Mr. Crabtree: Our existing sewer is shown here with a light gray line and goes through IMF-11 and IMF-10 is right above that. What we're doing is we're going to intercept our existing sewers and take it to this wet well. From that wet well, it will pump through a force main, go to State Line, and go south toward the treatment plant. Essentially, we're catching it in a wet well, pumping it, and if it gets overwhelmed with extraneous flow from a rain event, that'll be allowed to be continued on to KCMO.

Comm. Coleman: Do we have any current pump stations in Leawood that you're aware of?

Mr. Crabtree: I'm not aware of any Johnson County pump stations in Leawood. There's some that are close, but they're not in Leawood.

Comm. Coleman: Where are the pump stations located near here?

Mr. Crabtree: The closest one is at Dyke's Branch, which is up at 83rd and Mission. There's one at Prairie Village and another one at 75th and Nall that's a peak access flow treatment facility (PAFT) and it looks like a house. There's another one at Brush Creek at 77th and Roe. There's one on State Line further north that's small.

Comm. Coleman: I'm just trying to visualize what a pump station looks like currently.

Mr. Crabtree: Most of them are very well disguised. We try and make our pump stations fit in with the architecture in the area, and that's the reason we're proposing this brick. It looks like the building that's on the site.

Comm. McGurren: Now that the new treatment facility is operational, what kind of capacity percentage is it running at this moment?

Mr. Denning: Good evening commissioners, I'm Patrick Denning from JCW, 4800 Nall, Mission, Kansas 66202. Right now, on an annual average day, the plant is designed for 19 million gallons per day (MGD). Right now, we're running about 15 million gallons per day. We haven't run a full year yet, so this is an average. We're expecting that number to go down because we haven't gone through the dry months of the summer and the fall yet. The 3 pump stations together were at 15 MGD, but we wanted to be at 19 MGD. On an average day, the 3 pump stations together will pump 3.6 MGD, so that gets us up to 18.5, which is close to the 19. Our numbers are looking good right now.

Comm. McGurren: So, you expect that once these 3 stations are operational, you would be close to 100% of the brand-new capacity?

Mr. Denning: Yes.

Comm. McGurren: Would that say that there are no other pump stations that would be required in the city of Leawood in the future?

Mr. Denning: We don't have anything else planned at this time.

Chairman Elkins: I remember that when we were talking about the Tomahawk station, part of what was driving that was JCW's contract with KCMO was expiring and that there were new Environmental Protection Agency (EPA) clean water requirements such that KCMO was suggesting that they may no longer accept sewage flow from Leawood. You mentioned there was at least one spot that you will still move sewage to KCMO to get it taken care of. Is it intended that JCW will address the vast majority of the Leawood sanitary sewage requirements in the long term?

Mr. Crabtree: As far as I know, I'm not aware of any future plans to increase the capacity.

Mr. Witt: Good evening, my name is Aaron Witt, Chief Engineer of JCW, 11811 S. Sunset Dr., Olathe, Kansas 66061. We will always have the contract with KCMO. The issue that we were looking at with the financial piece was the continued rate increases that we were getting with KCMO. These sites that we are talking about are larger sites that send a lot of flow to KCMO and we're able to get those savings by intercepting that flow and sending it to Tomahawk for treatment. There are other interconnect sites along State Line that go to KCMO that we pay for, but they are not large enough to meter.

Chairman Elkins: With respect to the pump stations, that's not necessarily an issue of volume; you're just trying to redirect the volume that you currently have with some additional capacity to the Tomahawk station. You need that technology in order to get the flow to the Tomahawk station, correct?

Mr. Witt: That's correct. Currently, the way that the sewers are laid out, they can flow by gravity to KCMO. To get it to our Tomahawk treatment facility, we need to intercept that and pump that flow to the facility.

Chairman Elkins: You mentioned that once you've intercepted 10 and 11 and you get it to the pump station, that you're going to go to the force main and pump it south, right? Is that essentially pumping it uphill then? Is that part of the reason that you need this, to be able to fight gravity?

Mr. Crabtree: That's correct.

Chairman Elkins: You heard some of the questions for staff tonight. You've also heard some concerns expressed by the public with respect to Tomahawk. Can you address what's going on with respect to the odor issues at Tomahawk? You indicated that you're using the best technology at your pump stations, but there's been reports of odor concerns. Is it a different technology that you're using for the pump stations? The preliminary reports we've been getting from the community have raised some concern.

Mr. Crabtree: We've heard the concerns. We were going to address this in the last case, but Patrick can answer that question.

Mr. Denning: We're aware of staff concerns as far as light, landscaping, and odors. We continue to work with Mark and the city staff to address those issues. There's still ongoing communication regarding what can be done about those things. As far as the odor is concerned, Tomahawk is a little different. A wastewater plant is a giant biology experiment, so we're trying to control several kinds of bacteria and get several things happening. Over these past few months, we've been commissioning the plant and we've had to grow a lot of bacteria. When you do that, things can get out of whack. We've gotten several odor complaints, and we do appreciate the feedback and the patience of the community. Since about April, the plant has been fully online and commissioned. We haven't seen the same number of odor complaints, so I'm hoping since that time, it's been decreased. We are using the carbon systems for odor control. A miniature one of these would be at a pump station to control odors at the Tomahawk Wastewater Treatment Facility. Those are the big gray things you see with the yellow rims around them. As you drive by Lee Boulevard, those front 2 buildings are pump stations that are part of the plant.

Chairman Elkins: Another concern is light. Can you tell us about the design and how it addresses the ambient light?

Mr. Crabtree: We're proposing having 2 lights. One is a low cutoff light that directs the light downward and not outward, and then the other is on a pole mount above the wet well. That light would only be on if they were performing maintenance activities; it would normally be off. Lighting will be minimal for this site.

Chairman Elkins: And ordinary maintenance would be during the day when there would not be a need for a light? It would be emergency maintenance that would be done during the night?

Mr. Crabtree: That's correct. It would only be for emergency work. We plan most of our work to happen during normal business hours between 7:30-5.

Chairman Elkins: Our process here is that we will conduct a public hearing, and there are several people who have expressed an interested in speaking. When they're done, you'll have an opportunity to address any of the issues raised to the public to whatever extent you desire to do so. Thank you for your time.

5-minute recess

Chairman Elkins: Before we open the public hearing, there are some points of clarification about the floodplain that the city is wanting to make.

Mr. Scovill: With respect to Sites A and C, the applicant indicated that those would create a rise in the floodplain. That would require additional permitting or approvals from FEMA.

With the city's code, we would require that that rise be mitigated. They would have to create additional capacity in the creek that's often done with flood benching. Often, this would look like widening the creek channel so that water can exist there as opposed to out of the banks. In this case, A and C would likely impact the slopes from the bottom of the creek all the way up to the parking lot. That was a consideration that the applicant discussed in several meetings with staff. In addition to that, they looked at the possibility of lowering the parking lot. The parking lot is already located in the floodplain, which is lower in the floodplain than is allowed by code, so it's an existing non-conforming parking lot. If they were to lower the parking lot, it would become more non-conforming and that is not allowed in city codes. Those were additional considerations that were discussed with the applicant when they came to us with multiple locations.

Chairman Elkins: So, the mitigations that we require as a city would mean that those additional blue areas would be put back to where they currently are? Is the mitigation to get back to the current state?

Mr. Scovill: That would be the goal. It still may not alleviate the requirement for the FEMA approval, but it would minimize the blue areas and reduce the impacts on the adjacent properties.

Chairman Elkins: We seem to be focused on the FEMA permitting process, but bottom line is there are a certain number of homeowners who will suffer at least some potential impact because of where they sit in the floodplain today versus where they'll sit in the floodplain if it's not mitigated.

Comm. Block: So, if the creek is widened, which would be one of the mitigations that would require going through the FEMA process?

Mr. Scovill: It's very likely that they would still require FEMA's approval. There are some nuanced conditions where FEMA may not care to weigh in, but I doubt that would be the case here.

Comm. Block: Whose property would be affected by widening the creek?

Mr. Scovill: That's a good point. I don't have the property lines in front of me, but I believe there's a good chance that it would extend possibly to the south side of the creek, but more than likely, most of it would occur on the tract that we're looking at currently. It wouldn't preclude it from extending on the other tracks.

Comm. McGurren: I'm curious if you would agree with the statement that was made earlier that going from 1/100th to 2/100ths is obviously double what FEMA allows, but at the same time, it is considered a minor adjustment. If we had seen that blue overlay, would that be minor for the homeowners who are question?

Mr. Scovill: It very well could extend a foot horizontally or even much further than that horizontally. Even a half inch could extend it greatly depending on how flat the property

is. This area was remapped with the development of the houses to the west not too long ago.

Comm. Hunter: What's the concern about getting FEMA approval?

Mr. Scovill: FEMA approval takes time and money. A conditional letter of map revision (CLOMR) is what you try to get in advance and that is what we would require and might take 6-12 months to acquire. Once the project's build has been mentioned, you would have an as-built survey done and you would submit for the ultimate map revision, and that could take another 6 months. As for cost, I've seen anywhere from \$20,000-\$50,000 in additional engineering work. More than time and money, mitigating those impacts reduces the efforts, but also reduces the number of neighbors impacted.

Comm. Hunter: With Sites A or C, you're saying that the city would require mitigation? So, how many properties are going to be impacted with the city's mitigation?

Mr. Scovill: That's where they would get into additional engineering studies to determine what kind, if any, mitigation could occur. The site might not even be suitable for mitigation. The city has looked at doing some mitigation on our own projects, and sometimes the sites aren't well-suited for that, and it can be very challenging to find a way to mitigate it to where you will eliminate the rise. So, some properties could still be impacted.

Comm. Hunter: But you don't know exactly which ones?

Mr. Scovill: No, there hasn't been a significant study related to mitigation to my knowledge. The applicant might be able to speak better to that.

Comm. Belzer: What is the distance gained by moving it to Site C from the proximity of the homes?

Mr. Sanchez: It could be moved over to the east. Site C is around 80 feet or so.

Public Hearing

Michael Fishman, 2149 W. 89th Terr., appeared before the Planning Commission and made the following comments:

Mr. Fishman: I'm here to speak in opposition of location B. I've been asked by my neighbors to lead off, but I'm by no means the only person from the Village of Leawood that would like to address you. I cannot overemphasize how important this issue is to the Village of Leawood. I would like to deliver to the Planning Commission petitions signed by 100% of the Village of Leawood. The undersigned residents of Village of Leawood wish to inform the Leawood Planning Commission and the Leawood City Council that we strongly oppose the location of the proposed sewer pump station, as shown as location B on the attached exhibit. If the pump station must be located at 89th and State Line, we prefer its construction at location C. As a preliminary matter, we do not oppose the pump station. We just oppose the pump station at location B, rather than location C. In its presentation,

JCW essentially justified its location of location B for 2 reasons: The first being that the floodplain impacts are less at B, presumably, and the second being that it preserves the use of commercial property for other uses. Village of Leawood has 24 lots; 23 houses exist and there's one vacant lot. Our entire development is surrounded by the park, which is a key amenity to our houses. It is the reason why most of us are there. The wastewater district has explained to you its reasons for selecting B, but what it doesn't do is touch on the reasons not to select location B. The reason not to is that it creates the most damage. It is a visual impediment to our houses and the park. They have shown you what the pump station would look like; it's a brick building with a west wall facing the park and our homes. It would be built on the east bank of the creek; the east bank of the creek is 5 feet higher than the west bank. We were initially told that the building would be 40 feet high, and I'm being told tonight it's expected to be 17 and a half feet high. You must understand that the bank is 5 feet high, and then there's a 6-foot wall. Then, the 17 feet of building are going to be built on top of that, which makes the façade that faces the park 28 feet tall, which is imposing. It's going to be 70 feet wide, and it could not be built in a place that is worse, in terms of a negative visual impact to our neighborhood and to the park. The shame of it is that we told the wastewater district from the very beginning that all of this could be avoided if they merely considered moving the location to C. It's closer to State Line, they wouldn't have to remove any trees, it won't be visible from our neighborhood, and it won't prevent screening from the buildings surrounding State Line. After the Interact meeting, they decided to look at it and came back in May and still decided that they wanted to show it at B, which is something that we can't really understand. I do understand the notion about the floodplain rise. It's supposed to be 1.2 inches. If you look at the map where they show where the floodplain rise would be, they show you the impact of the floodplain rise. If they use location C, rather than B, it affects 9 properties other than what it would affect if it were at location B. What they don't tell you is that the type of impact that there would be to those 9 properties. 7 of those 9 properties are homes that are along High Drive. High Drive is on a bluff that is south of the park, and it overlooks the park. It must be at least 25 feet of fall from where the houses are located, all the way down to the bottom of the hill where the park is. That's where the potential floodplain impact would be; in an area that is already in the floodway and is virtually unusable. It's heavily wooded and would be insignificant in the use of the properties that are up on High Drive that would be affected. This is an ugly thing and will horribly affect the park.

Phil Gibbs, 9000 State Line, appeared before the Planning Commission and made the following comments:

Mr. Gibbs: I'm with Continental Consulting Engineers and we own the property at 9000 State Line. I'm very familiar with my neighbor to the north, which is 8900 State Line. When I came tonight, I didn't think there was anybody in this room that wanted them to do this project. It's a tough project for the wastewater district to pump poop uphill. They're forced to do this because of KCMO raising costs. My office is on the 2nd floor of the office building and will look right at it, and I think I can live with that. At the same time, with this project, I was told that that does raise the storm water event elevation and that will put more water in my building. It's a dumpster site right now on 8900 State Line. The owner of 8900 State Line said that it's like putting an industrial building on State Line where

30,000 or so cars drive by every day. There are concerns about public works. Our Public Works in Leawood need to control the traffic. You're going to change the 4-lane road to 2-lanes, and you won't be able to turn left into businesses as it's going on. I think it could be done in 7 months, rather than 18 months. Maybe the road improvements could be done in the summertime. I'm going to make sure that we have some control if we end up doing this project so we can live while this thing is being built. What if it breaks down? What if the electricity shuts off and you can't pump?

Peter Brown, 2101 W. 89th Street, appeared before the Planning Commission and made the following comments:

Mr. Brown: I sent a long email in the materials to you that gave a detailed chronology of interactions that we had in the process between the Interact Meeting in March to the meeting at Brookwood in May. I've known this property for 50 years of my life; I grew up in Leawood on 89th Street. When I first became aware of this project, I thought it was heartbreaking to disrupt a pristine creek bed. This is a very commercial, industrial building you're talking about putting back there. There's an entire commercial corner at 90th and State Line Road, next to a south lot of a parking lot of a building that is in major disrepair. What sense does it make to put an industrial building in a pristine creek bed that destroys the natural habitat and creates massive visual pollution when you have a solution just to the east? We weren't presented with Site A at the time of the Interact Meeting. It was only presented as Site A when we pushed back. We got A, B, and C at the Brookwood meeting. At that meeting, one of the residents asked for an open discussion about the pros and cons of the different sites. The answer we got was a no. I understand that city staff presented with a site and don't have another site. The other thing we heard at the Brookwood meeting was how you design and construct these buildings has a lot to do with the impact on the floodplain. With the stakes as high as they are, with the visual pollution and the destruction of a natural habitat, why can't we have a plan for a study regarding whether a building can be constructed in an entirely commercial corridor, such that it doesn't have the impact on the floodplain? They haven't shown us what they designed for C, the site we want. Why can't they go design a building that would not have these impacts? The pump station is a good thing for the citizens, but what I am asking is that you ask Johnson County to go back and do the work that they have not done on Site C.

Earl Santee, 2141 W. 89th Terr., appeared before the Planning Commission and made the following comments:

Mr. Santee: I sent you an email talking about our issues with the impact of this project to us and the neighborhood. The design you saw earlier is a 17-foot building, but the footprint is much bigger. The challenge would be to go back and prove to us that reducing the height of the building doesn't impact the water flow any more than it did before. But it does impact it. I'm an architect and have designed dozens of buildings in floodways. The other part that I think is important for us to appreciate is that no matter what we do, the impacts on floodways are always there but there are ways to get around it. For you all, part of it is that you must push your consultants to consider what's possible. There are a variety of other methods they could deal with that would best determine how to solve the problem before

us. Every visitor that comes to the park, every person that lives in Village of Leawood is going to see that image. You could put 6-foot-high trees up, which will get you to the top of the flood wall, but it won't get you to the top of the building. The 6-foot-high trees will take 30 years to get to a point where they will cloak the building to where you can't see it. For us, this is a permanent situation. The other important point to consider is that things fail. Is there a backup emergency power to make sure the equipment doesn't shut down and the smell goes into the neighborhood? There will be 18 months of construction noise as well. It's around 120 decibels, which will be happening in our backyards when they bring the sewer line into our neighborhood. They'll have to dig up along State Line to bring that into the pump station as well. Clearly, the farther away you put it from us, the better. The difference between Site B and C is 200 feet. Site B to State Line is 80 feet. 200 feet makes a big impact. That's almost double what it is from Site B to our neighborhood. As architects, designers, and engineers, we make great ideas. But, if it's a bad idea or an ugly idea, it doesn't matter how much we mask it, it's still an ugly idea.

Chairman Elkins: On your image, is that the building as it was proposed at 40 feet or as it was proposed tonight?

Mr. Santee: This building is 24 feet tall. It's a two-story building.

Bill Munninghoff, 8914 Sagamore, appeared before the Planning Commission and made the following comments:

Mr. Munninghoff: I'm the President of the Village of Leawood Homes Association. We have signed petitions from all the residents of the Village of Leawood. The emphasis of the petition was that we are opposed to the present site as suggested and want to have that moved to Site C. We want to make it clear that our Homes Association is opposed to Site B and want it moved to Site C.

Gary Fenner, 2145 W. 89th Terr., appeared before the Planning Commission and made the following comments:

Mr. Fenner: You have a letter from us in your file. We are the ones who were the first to buy a lot in the Village, which was a leap of faith. We chose the lot that overlooks the park, but it wasn't a park at that time, just an overgrown area. We were told that the City of Leawood was going to develop a park there, and they developed a beautiful park. It's surrounded by a natural environment, unless this happens. You saw a diagram earlier and it showed a red line that went over to the Village of Leawood. Our house is right at the end of that red line. We will be sitting there, looking at this pump station for the next 20 or 30 years. I know that there are plans for landscaping and trees and in 20-30 years it will be fully developed. The residents of the Village are not a younger crowd. 20-30 years doesn't mean a lot to us. We are there to enjoy our property and the quality of the location we have now. The City of Leawood has a vision statement: to continue to maintain the residential property values, promote neighborhood and/or commercial development, offer a variety of high-quality neighborhoods, sustain environmental sensitivity, retain natural landscapes, and provide open space. I believe that the pump station as proposed at Location B violates

every one of those tenants of the vision. About a month ago, Johnson County Waterworks stopped directly communicating with the concerned neighbors. We didn't get any information on the redesign of the pump station; it was posted on the website, and we were notified of that. No dimensions or specifics were given as to what that redesign consisted of. I did ask why the pump station must go in the creek bed. It's a huge parking lot and we have a full vision of the parking lot in the winter, when the leaves are off the trees. It's an auxiliary parking lot to this office building and there are rarely ever more than 2 or 3 in that entire parking lot. The response that I received was that the owner of that property has potential future confidential plans. To me, it's preposterous to accept that as a reason to do the damage that is proposed to be done by putting this pump station in the creek bed. Johnson County Waterworks has capable people and the ability to come up with a solution that works for everybody. To some extent, I can understand why they don't want to do it. It will take extra effort and cost extra money; it's a \$340 million project, so they ought to do it right.

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

Chairman Elkins: Mr. Crabtree, would you like to address the merits and disadvantages of Site B versus Site C?

Mr. Crabtree: One thing that was missed in our presentation is that Sites A and B will require significant tree removal, not in the direction of Village of Leawood, but in the direction of continental engineering across the creek to the south. We can't build a pump station in the middle of a parking lot. We worked with the owner of 8900, and they have future uses for that area that are confidential. We can't be in the middle of their parking lot, so we have to be on the edge. Sites A, B, and C would require tree removal. We didn't do a tree count for the other two sites because of the flood rise impacts. One of the things Mr. Scovill brought up was that if we were to do a LOMR with FEMA, mitigation would be required to bring that level down as much as possible to make it a no-rise. Mitigation efforts would require tree removal and channel modifications to the creek. We did look at that originally with Site A because we were trying to make that site work. It resulted in places along the creek where we would have to remove soil to expand the channel and remove trees along the bank.

Comm. Hoyt: What is the most significant negative about going with option C?

Mr. Crabtree: We worked very closely with the property owner and we arrive at a mutually agreeable location that would preserve the use of his commercial property for him to be able to use that space. That's in addition to the flood concerns.

Chairman Elkins: Do you have a lease or other real estate agreement with the land owner of 8900 for any one of the 3 locations?

Mr. Crabtree: We've developed easement diagrams that we've been working on, but we haven't entered into a final agreement at this time for Site B.

Chairman Elkins: Have you received any sort of expression of interest or non-interest from the property owner with respect to A or C?

Mr. Crabtree: The property owner stated a preference for Site B. JCW is trying to find a place that impacts the least amount of people and we have to consider more than just one neighborhood. We have to consider the property owner, the person to the south of the creek, etc.

Chairman Elkins: It's unfortunate that the property owner is not here. You don't even have a written easement with the owner for Site B?

Mr. Crabtree: We have everything prepared; we just haven't executed it.

Comm. McGurren: Help us understand how Site C creates additional flood rise when it is so much farther up the hill and out of the floodplain to begin with. Is it the infrastructure that goes down to the creek that causes that?

Mr. Crabtree: It is further away from A and B, but it is not further away from the Dyke's Branch Creek. That's where the floodway is; it goes from the box culvert straight to the west, and then it bends to the north.

Comm. McGurren: So, Site C is on the edge of the parking lot and closer to State Line. As Dyke's Branch moves past A and goes toward Missouri, does it stay level or does it drop down as it goes?

Mr. Crabtree: In relation to the center line of Dyke's Branch, it's roughly the same.

Comm. McGurren: When the flood occurs without anything happening with Sites A, B or C, does the flood make it to the edge of the parking lot up by State Line where C is noted today?

Mr. Crabtree: It does. It cuts diagonally across the parking lot. The floodway, which is the most important part of the floodplain, is centered around the central line of the creek. The floodway boundary is further down.

Comm. McGurren: Does that parking lot slope towards Sites B and A?

Mr. Crabtree: Yes; it slopes from the north to the south. C is slightly higher, but it is still in the floodplain.

Comm. McGurren: So, Sites B and A are more in the floodplain, but you've protected them with a floodwall, right?

Mr. Crabtree: Yes, all sites would look very similar. They would all be the same, with the exception that the existing grade would be slightly different at Site C. The building itself would be a similar height but slightly shorter. The top of the building, as shown with our revised design, is the exact same height as the existing parking deck.

Comm. McGurren: If you built on C, you would add the same floodways and have the same building, put it farther away from Sites A and B on a higher portion of land, it would pump what you want and would be dramatically less visible to the property owners of the park.

Mr. Crabtree: It would be less visible to the residents to the west.

Comm. McGurren: Who was the person across the street you said you were concerned about?

Mr. Crabtree: If we did location C, a lot of those trees in that area would have to come down and it would be directly in between the Continental Engineering building and the 8900 building that's shown to the north of the parking lot. Mr. Gibbs is the owner of the Continental Engineering building.

Comm. McGurren: What are Mr. Gibbs' thoughts on Site C?

Chairman Elkins: We've closed the public hearing at this point. I think he articulated a preference for Site B if I recall correctly.

Comm. McGurren: Does his building front toward the parking lot on the north?

Mr. Crabtree: That's correct.

Comm. McGurren: My opinion is that we should have more information in our hands. We should have a full review of Sites B and C, an understanding of the construction schedule and the exact line where the piping goes between the 3. I'm all in favor of this happening, but in the right location. It seems like this is premature and we don't have adequate details.

Comm. Block: It was mentioned a few times that Site B would be in the creek bed. Is that accurate?

Mr. Crabtree: It's not in the creek bed. It's on the bank of the creek, right on the edge of the parking lot, which is a relatively flat location.

Comm. Block: There was a reference to a foundation wall of 6 feet. You had indicated that the building was 17 feet tall, and someone in the public hearing said that would be on top of the 6-foot foundation wall.

Mr. Crabtree: If I understood the comment correctly, it's talking about the fact that it is sloped toward the creek. On the backside the appearance would look taller. There isn't a

retaining wall. 17 feet is measured from the grade at the front. In relation to the adjacent structures, it's roughly the same height as the parking garage.

Comm. Block: You're saying it's fairly flat, so the 17 feet on the backside, as you're looking to the east, wouldn't be that much more than on the other side?

Mr. Crabtree: Correct. It's about a 3-5-foot difference because the ground slopes toward the creek.

Comm. Block: There was another comment made about how it is 200 more feet moving it from Site B to Site C. I'm not understanding that.

Mr. Crabtree: From Site B to the closest homes in Village of Leawood, it's about 290-300 feet. If we move it to location C from location A, it would be another 200 feet to the east, increasing that distance from roughly 300 to roughly 500 feet.

Comm. Block: How open is JCW to consider a different design? You said you have others that look like houses. If the residents wanted that, could you potentially make it look like a house?

Mr. Crabtree: We would have to talk about that as a design team. Typically, we try to make it look like the property that it's located on. It's not located in a residential area, it's on a commercial property. It was presented as a concept, not a final design. We are just now getting a designer on board, so there are things we can do to make it more palatable. We could entertain putting a pitched roof on it. I don't think we would make it look like a house though.

Comm. Hoyt: How many years would the trees you plant take to reach maturity?

Mr. Crabtree: That's a question that I'm not qualified to answer. What I can tell you is that my parents planted bald cypress, the same trees that the Parks Department recommended to us, 7-8 years ago and it's about 30 feet tall right now. The ones directly around the pump station may not grow that fast, but I know that kind of tree will provide excellent screening.

Comm. Hoyt: The ultimate landscape plan is a matter of the final, not the preliminary, correct?

Mr. Klein: Correct. It seemed like most of the evergreen species they picked were fast-growing, from my research.

Comm. Hoyt: It seemed like the residents were concerned about destroying the natural habitat, as well as the visual appearance. If a different landscape plan could be developed, perhaps that would be helpful.

Mr. Klein: We have a stipulation in there about them looking at the landscape plan. If they plant the landscape lower down, it's going to take longer to hide the building, but if there

is a way to get the landscaping on the same level as the building, it would screen it better. They said they might look at moving the building a bit further to the east to avoid disturbing as many trees. At this point, they haven't done the studies to be able to do that, but that is in that stipulation.

Comm. Hoyt: It seems like relatively modest changes of that sort could conceivably make a big difference in the quality of life as it relates to the view and the acceptability of it to the residents. There are cost-saving matters related to Site B rather than Site C. There would be money that could be spent to enhance the aesthetic of Site B and you'd be under what the expense would be for Site C.

Mr. Crabtree: At the request of Leawood Planning staff, we did look at a cross-section through the Village of Leawood neighborhood at that diagonal line. If you'll notice, there's a portion of the building that is taller, and that's what we reduced by reducing the building height. Reducing the building height goes a long way in providing screening, because we don't have to wait as long for the trees to grow and mature.

A motion to extend the meeting for 30 minutes was made by Coleman; seconded by Belzer. Motion carried with a unanimous vote of 7-0. For: McGurren, Coleman, Block, Stevens, Hunter, Belzer, Hoyt.

Chairman Elkins: I don't think we have the ability to recommend A or C because that's not what the proposal is. While we can expect changes in the design and aesthetic of the building itself, we would not expect there to be a change in location. That would be a sufficiently significant change to send us back to the preliminary plan stage. I realize there is a lot of concerning emotion with the neighbors about Sites B or C, but I'm not sure that's within the scope of what we can achieve. For all we know, the owner may have no interest in granting an easement for Site C.

Mr. Klein: I think you have an application before you right now with regard to the location of Site B. I think that is what the considerations are and you have the ability to either recommend, not recommend, or continue the case if you feel as though you need additional information.

Chairman Elkins: We can provide input on the design because our final decision on that won't come until the final case comes before us. With that, I'll open the floor to discussion about how we ought to proceed with this case.

Comm. McGurren: As I said before, I am fully supportive of the concept of the 3 pump stations. I would be much more supportive tonight if the applicant said that they were going to go back and do a full review of Site C and compare it to Site B and bring us the flood rise map that showed us exactly how much of an increase occurred. To the point made about the houses on High Drive, that is dramatically higher. It would be very interesting to understand whether the water rises up a foot when there's 25 more feet to go before you get to someone's home. I'd like to understand all of this better; it's very vague at the moment. We were shown what the floodplain looks like, but it should have shown what

the floodplain is and what it does so we could see the comparison. So, I would be voting yes if we were of the opinion that our influence caused the consideration to occur and the review to occur so we all got a chance to see everything when it came back to us. I would not be supportive of choosing Site B tonight.

Comm. Hunter: I don't think the pictures and depictions that we've seen tonight adequately reflect this area. It is a great park and a great amenity. I am perplexed by the idea that JCW would, after so many years, say that we need these pump stations and would put it in this park when there could be other spots available. It doesn't seem to fit with the area. If there is a spot available closer to State Line, to me it makes sense to do it there. It's concerning that we've been sitting here for 3 hours and nobody wants this. I have a lot of concerns about this pump station location. I understand the need for it, but I feel like it's getting shoved through.

Comm. Stevens: I have similar concerns, especially due to the fact that tonight's case started to show the evaluation of these other sites may be important. I can tell that Sites A, B, and C would all have a major impact in the creek area. They would all impact that natural habitat in those locations in the edge of the parking lot. None of that seems to be good. There would be a more severe impact where Dyke's Creek runs along State Line. Even though the desire of moving this structure further to the east exists, it's probably not the best location. What sounds most desirable is moving it out of everyone's view. I do see the location that they've chosen, Site B, appears to be more desirable because of its minimal impact on the floodway and getting it to fit in. When you move it to these other locations, there's going to be more mitigation needed. I wish there was more explanation on the different sites and continued study for those.

Comm. Block: I think the current location is best. I think the winter view across State Line is far worse than a side view of a brick building that can be designed well. It sounds like it's a blank piece of paper; they're trying to make it fit in. I'd rather look at something that's more attractive, especially if there's a future use for this parking lot. The parking lot will most likely be lit, and I see this as a screening for State Line and for whatever else happens in that parking lot in the future. It's hard to tuck it in and hide it somewhere else in the city. I'm in favor of moving it forward.

Comm. Coleman: I would like to thank all the neighbors for all their input. Nobody wants a public utility building in their backyard. Unfortunately, on the other side of the creek on the office property, someone else controls that building and the parking lot. If the building owner wants to give part of their land for someone else to use, that is their right. If they want to redevelop their land, that's also their right. It's clear the owner wants to do something with the property, and it's probably going to be bigger and taller than what is there now. There are other concerns that this piece of land is going to have in the immediate future. With that said, when the Wastewater Treatment Plant came before us, they had a brick building as well because they wanted to fit in with the surrounding area, which was Mission Farms. A brick building is going to stick out in that back parking lot. What you want is something natural that blends in with the trees and the current environment. With that, the pump station is needed. Ultimately, Johnson County residents overall will be

saving money by having our wastewater treated at our plant instead of sending it to KCMO. I understand that you don't have a lot of choice regarding where to put these stations. I trust that JCW will design the building the best they can to blend in with the natural surrounding area. I think the application before us is very regimented, and I will be recommending to approve it to City Council.

Comm. Hoyt: I think it's a very complex decision and there's not a perfect solution. We need the pumping stations, and it appears that roughly in this location is the right place to put one. The commercial property is most likely going to get developed and that whole area might look different than what it looks like currently. This might be an opportunity for the people that live there to have some voice in screening. There will be things that will require screening in the future as well. Not doing the pump station is not going to change what else gets developed. I don't think these residents should have to wait more than 5 years for this to completely fill in and obscure as much as possible. With the Tomahawk building, we didn't want it to look like a brick office building; we wanted it to look natural. I think there's a compromise that can be reached.

Comm. Belzer: I would agree with Commissioner Hoyt. We worked tirelessly to create that buffer with the park in Village of Leawood. If there is an owner on the commercial property, we don't know what's going to be coming in the future. We were able to influence JCW to change the design and create something that has already started to blend in. I would like to see them work with the neighbors to create a different vision that will blend into the natural habitat that's set up there. I feel as though this pump station is necessary.

Chairman Elkins: I think it's important to remember that this is not being built in a park, but rather at the edge of a parking lot. Johnson County Waterworks made that decision because one of the original sites they were looking at was in a park, so they chose not to build the pump station in an existing park. It's also important to note that the residents were heard regarding the height of the building. At one point in time, this building was nearly twice as high, but thanks to the residential input, it's half the height that it once was. The location of the pump station is dictated by where the current sewer lines go. If it gets moved too far, brand-new sewer lines would have to be put in, which is an even bigger infrastructure change. The floodplain issue is an important issue. What may seem like a very modest change could be much more significant. For all those reasons, I am generally supportive of the application. I think that at this point in time, in terms of the general location, the parts that we would approve of a preliminary plan are all here. I find myself sensitive to the neighborhood concerns as well.

A motion to recommend approval of CASE 25-22 – JOHNSON COUNTY WASTEWATER PUMPSTATION, PS #10/11 – Request for approval of zoning to SD-O (Planned Office), special use permit, and preliminary plan located south of 89th Street and west of State Line Road – with all staff stipulations - was made by Block; seconded by Coleman.

Comm. Hoyt: Stipulation 6 says that prior to submitting a final development plan application, the applicant shall work with the city staff to investigate the possibility of

enhancing the screening, which gets to the landscaping issue that we were talking about. Could that stipulation be modified to include that the applicant shall work with city staff and surrounding neighbors? Can I make a motion to amend the motion?

A motion to indicate that Stipulation 6 needs to include the additional wording “shall work with city staff and surrounding neighbors of their subdivision” was made by Hoyt; seconded by Belzer. Motion carried with a vote of 6-1. For: McGurren, Coleman, Block, Stevens, Belzer, Hoyt. Against: Hunter.

A motion to recommend approval of CASE 25-22, to include Hoyt’s amendment, carried with a vote of 5-2. For: Coleman, Block, Stevens, Belzer, Hoyt. Against: McGurren and Hunter.

A motion to extend the meeting for 30 minutes was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 7-0. For: McGurren, Coleman, Block, Stevens, Hunter, Belzer, Hoyt.

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

Staff Presentation

City Planner Ricky Sanchez made the following presentation:

Mr. Sanchez: This is CASE 26-22 – JOHNSON COUNTY WASTEWATER PUMPSTATION, PS #13/13A – Request for approval of a zoning to BP (Planned Business Park), special use permit, and preliminary plan, preliminary plat located north of 104th Street and west of State Line Road. Staff would like to make the same change to one of the stipulations as the one previously done. This one is Stipulation 6, and we would like to add the same parentheses to the end of that sentence. As stated earlier, this case is in conjunction with the 2 other pump station cases on the agenda tonight. The proposed pump station is located at the intersection of 104th Street and State Line Road. The structure will be approximately 21-feet-tall and will occupy the entire property. An existing office building is currently located on this site. The office building will be demolished and replaced with this pump station structure. An ingress/egress drive is located to the north of the building and will be accessed through a gated system, with the fence and screen wall going around the perimeter of the land and the building. The applicant is requesting a deviation for a 7-foot fence and 8-foot-tall screen wall to be allowed down the drive-aisle and the structure. Per the LDO, 6-foot-tall fences are the maximum height allowed for utility and service facilities unless it is granted with a deviation up to 8-feet tall. That is the maximum that they are requesting with this application. Landscaping is proposed along all sides of the building, including street trees and evergreen trees, with the addition of a median that will be constructed on the north side, close to the northern property, which will also be planted with evergreen trees. The pump station and the platform of the transformer will be lifted

approximately 4 feet in order to get the project out of the floodplain. Staff is recommending approval of Case 26-22 with the stipulations listed in the staff report.

Comm. Coleman: What is currently in the building?

Mr. Sanchez: It's an office building. I believe it's Larson Construction.

Applicant Presentation

Isaac Crabtree with JCW, 4800 Nall Ave., Mission, Kansas 66202, made the following presentation:

Mr. Crabtree: This is Case 26-22 for Pump Station 13/13A. This is all part of the same project we presented previously. The site we're talking about is the watershed that drains to 13/13A. This pump station is the second one at the Indian Creek and State Line Road. For public outreach, we did something very similar to what we did for the other pump stations. We offered Interact Meetings, both in-person and virtual, and we sent out mailers. Since this is a commercial area, the number of folks we mailed it to was significantly lower. We sent out postcards to those within 500 feet and certified letters to those within a 200 feet radius. We had our Interact Meeting on March 8th, in-person. We also had a virtual meeting the next day. We provided an update on our website with the pertinent information, the recordings of the meetings, the slides themselves, and frequently asked questions. This is a Site Plan for the pump station. This property was owned by Larson Construction and we purchased the property and closed it on March 22nd of this year. This is different from the last case in that we are not getting an easement; we actually purchased the property. The building that is there now will be demolished and the pump station will be as shown here. It has the same components as the last pump station but it will be arranged slightly differently. The wet well that is located on the left, which is to the west, and the control building, which is located to the east, will have a transformer in between. For the landscaping, the plan was developed with all the Leawood Ordinances in mind, so it complies. The wet well is on the left, approximately 25x20 feet. It's a below-grade pump station with submersible pumps. What's going to be above grade will be a concrete box with hatches on top for accessing the pumps. That will be just high enough to be above the floodplain from Indian Creek. As far as the building itself, it will also be elevated, so the floor is the required distance above the floodplain, as required by the City of Leawood Ordinance. The building will have roughly the same type of equipment that we have already talked about for the previous case. We'll have an electrical room, as well as 2 separate rooms for odor control. One would be dedicated to the vapor-phase odor control carbon canister, and the other would have a chemical tank for injection of Bioxide into the force main. We're proposing a brick structure here as well. You'll notice that it is elevated due to the floodplain from Indian Creek, so that's why the transformer is sitting on top. The building has flood gates on it, so if the river comes up, they can put the gate on it. Instead of doing that, we're going to lift it up above the floodplain. That's what's being proposed. This rendering shows our landscaping in its mature form. We will applying the best available technologies for odor control, which includes activated carbon, a scrubber for vapor phase, and we will be monitoring the fan using our SCADA system so we can make sure that it's running. The chemical injection is for the formation of odors or to

prevent formation of odors in the force main itself, so that would be for anything downstream. Again, we do have a hotline for people to call if they do experience odors. As far as noise is concerned, the vault is below grade and the pumps are submerged in the wastewater, undetectable outside. The odor control fan has an acoustical enclosure and it's surrounded by the building with a roof on it, so it will meet the decibel-level requirements. This project will all be done concurrently. We've talked about splitting it up and having one contract for the force main and another for the pump stations, but it's the same schedule that I presented previously.

Comm. Block: What is the backup plan for electricity? Are there emergency generators?

Mr. Crabtree: For all 3 sites, instead of having emergency backup power, if we lost power, the flow would continue over into the KCMO sewer system. We have a backup there that we don't have at most of our pump stations.

Comm. Block: And that doesn't change anything regarding the smell?

Mr. Crabtree: Correct. In fact, if we were to do this and the power would go out, it would be the same thing that's there right now.

Comm. Block: So, is the force main that comes from the north from Pump Station 10 and 11 going to go around this pump station and 13/13A will have its own line going into Tomahawk? Are they parallel or together?

Mr. Crabtree: They'll be combined.

Comm. Hoyt: Is the footprint of the pump station the same as the footprint of the existing building that's going to be torn down?

Mr. Crabtree: I don't have the exact dimensions. I believe the pump station is actually smaller than the control building. It won't be drastically different than what's there now.

Comm. Coleman: In the project before, you had a drawing showing the sewer lines. Do you have one for this showing where the existing lines are and where the new lines would be coming in?

Mr. Crabtree: This drawing shows that. We have a number of sewers that we're intercepting here because there's actually 2 interagency metering sites. We have a sewer from the north and a sewer from the west that we will be intercepting. That force main will come out of the pump station and connect directly to the force main that's coming from Pump Station 10 and 11.

Comm. Coleman: Where's the connection with KCMO?

Mr. Crabtree: One of the IMFs is further north and we're routing the sewer further south to get to the pump station.

Mr. Eiesle: My name is Ryan Eiesle from HDR, 10450 Holmes Rd. Just to the west, there's an IMF site that runs through the property of the Leawood Public Works facility; it goes south under Indian Creek and connects with the interceptor that carries it to Tomahawk. That's the line that will be diverted to the east. The other line is further to the north. It runs between 2 existing building and carries into KCMO there. We'll intercept that line, run it to the south, and tie it into the property here.

Comm. McGurren: Will the parking lot for Molle Toyota, directly to the south of your property, be affected by any new work?

Mr. Crabtree: That property should not be negatively impacted. We will be putting a force main in across Indian Creek, so there will be some disruption. It is right next to State Line, so there's not a lot going on next to that property.

Comm. Block: Are you going to excavate for this 20-inch pipe or are you going to bore underneath the creek and down State Line?

Mr. Crabtree: There will be places that we will bore, such as underneath the creek. We will take the force main underneath 435, but in State Line Road. That was a request from the Kansas Department of Transportation (KDOT), but then there is another location where we will bore underneath the exit ramp into the property to the south.

Comm. Stevens: The property that is being demolished was apparently sharing the parking that was north of them. Are you continuing the curb cuts for the property to the north? You're clearly attaching to their parking lot to provide your maintenance.

Mr. Crabtree: Yes, I believe that's the case. We're going to continue to share that entrance road.

Comm. Stevens: Is the north-south pass-through to 104th a requirement of that road or connection?

Mr. Crabtree: I think we maintained that because it was there before.

Comm. Stevens: Are the control building and spaces heated and cooled?

Mr. Crabtree: Yes. The electrical room will be a conditioned space. Any place that we have chemicals that we need to protect from freezing will be conditioned as well.

Comm. Stevens: Why is there not a continuous roof over the control building? Why is it different heights and volumes?

Mr. Crabtree: I think the reason is because the equipment is rather large and doesn't fit through a door, so if we need to replace a carbon vessel or a chemical tank, we can lift it out. We could add a roof, but then there would need to be a skylight on top, so I think the

preference was that if it didn't need to be conditioned and could be open, to just leave it open. Unless you're above it, you would never know if there wasn't a roof.

Public Hearing

As no one was present to speak, a motion to close the public hearing was made by Coleman; seconded by Block. Carried with a unanimous vote of 7-0. For: Coleman, Block, Stevens, Belzer, Hoyt, McGurren, and Hunter.

Comm. Coleman: I think the brick is very appropriate and will be the nicest building in the industrial park by far.

Comm. Belzer: I would like to see the roof match the gates.

Chairman Elkins: Does Johnson County Waterworks have any objections to the stipulations that staff included in our case?

Mr. Crabtree: Not that I'm aware of. There was one question about irrigation at this site, but I don't think it's that big of a deal for this case. We can recommend this to the board for signature.

A motion to recommend approval of CASE 26-22 – JOHNSON COUNTY WASTEWATER PUMPSTATION, PS #13/13A – Request for approval of a zoning to BP (Planned Business Park), special use permit, and preliminary plan, preliminary plat located north of 104th Street and west of State Line Road was made by McGurren; seconded by Stevens. Carried with a unanimous vote of 7-0. For: Coleman, Block, Stevens, Belzer, Hoyt, McGurren and Hunter.

A motion to continue Case 27-22, Case 56-22, Case 60-22, and Case 64-22, was made by Coleman; seconded by Hoyt. Carried with a unanimous vote of 7-0. For: Coleman, Block, Stevens, Belzer, Hoyt, McGurren, and Hunter.

Comm. Coleman: I want to thank Commissioner McGurren for his links to the airport in the last meeting. The staff and I attended the MidAmerica Regional Council Annual Regional Assembly. Johnson County's Ed Eilert was given an award for that. Commissioner Belzer and I represented the Planning Commission at the funeral of City Administrator Scott Lambers.

MEETING ADJOURNED