

City of Leawood
Planning Commission Work Session Agenda
May 10, 2022
Dinner Session – 5:30 P.M. – No Discussion of Items
Work Session Meeting – 6:00 p.m.
City Council Chamber
4800 Town Center Drive, Leawood, KS 66211
913.339.6700 x 160

CALL TO ORDER/ROLL CALL: McGurren, Coleman, Block, Stevens, Hunter, Elkins
Absent: Hoyt, Peterson, Belzer

Chairman Elkins: We have a full agenda, and one of our items may bleed into a later work session.

Mr. Klein: On February 7th, Governing Body had a work session to discuss the 135th Street Corridor and possible changes as far as the Leawood Development Ordinance (LDO). We plan on having another work session next month, but we wanted to get your input before then.

Capital Improvement Program

Chairman Elkins: Mr. Ley, welcome back. Mr. Scovill, I'll leave it to the two of you to walk us through the 2023-2028 Capital Improvement Program (CIP)

Mr. Ley: The CIP is five-year planning document used by the city to identify projects and coordinate the financing for those projects. We update it annually to coincide with the budget, during which time the city's needs are reprioritized. The five-year program is a list from 2023-2027. The only thing that is really fixed will be the 2023 program; the others are for planning purposes and could change. The CIP is developed in the context of the city's five-year expenditure and revenue forecast. As you may have noticed, this year's CIP is an abbreviated version; it is several spreadsheets. This is due to the vacant positions in the finance department. We're currently looking for a finance director and a budget manager. The project should exceed \$250,000 in costs. The financing options are "pay as you go," cash financing, and debt financing. Examples of projects in the CIP include construction of roads, bridges, storm sewers, facility construction, park improvements, and land acquisition. Staff uses the guiding documents of the Parks Master Plan, the Bicycle and Pedestrian Master Plan, Impact Fee programs, and the regional transportation through the Mid-America Regional Council (MARC). Staff reviews the current needs and available funding sources. The Planning Commission reviews the CIP and makes a recommendation to City Council, determining if the projects are in conformity with the Comprehensive Plan. It goes to City Council for approval.

For this year, we handed out several spreadsheets. The first is Public Works debt-financed projects up to the year 2022. It might be easier to bring up each one individually, and if you have questions, we can discuss them. Chris Claxton handed out the first

spreadsheet today. It's a list of all our projects and how they fall within the program over the next ten years. On the top half, its Public Works street projects, storm sewer projects. The numbers highlighted in red have changed since last year's CIP. We provided a memo that described the projects and changes.

Comm. Coleman: I was missing page 2 on that memo. Do you have another copy, or could you display it so I could see it?

Mr. Ley: *(making copies)*

Comm. McGurren: When it comes to Project 80-102, have we been able to coordinate with Overland Park, and do we know if they will pick up where we drop off at the city limit?

Mr. Ley: Yes, we've been working with Overland Park. That project will go on the south side of 143rd Street and go all the way down to 151st.

Comm. McGurren: They were talking about putting in a roundabout on 151st.

Mr. Ley: We're not aware; it is outside our limits. We are looking at installing bridges over the railroad tracks that are near the Leabrooke development.

Comm. McGurren: I contacted the city 23 years ago and asked about the plan for widening 151st Street between Nall and the city limit. They said it was probably 8-10 years out. That put it at about 2008, which caused it to be delayed again. It is now twenty years later, and it is projected to be thirty years later than what was initially planned if it goes to 2029. Does that feel unusual? It feels incredibly long for something that was needed back then.

Mr. Ley: These are just estimates. We really look at volume of traffic on streets. A two-lane roadway can handle 12,000 vehicles a day; 151st Street doesn't have that volume. They did open a bridge that goes to Missouri, so it may change, which could change our priority going forward. Most of the projects do get pushed back. The 143rd Street first phase from Nall to Windsor was supposed to be completed in 2007. Due to the economy, we moved it back 7-8 years, which delayed all the projects by that same amount.

Comm. McGurren: You feel confident with 2029? Is this likely to be forty years later than planned, or will it be in that approximate time frame?

Mr. Ley: We hope it stays in 2029. One thing we are doing is Mission Road from 143rd to Bell. It will be constructed in 2026. That will improve the intersection at 141st and Mission. That will give it much more capacity.

Comm. McGurren: Have we done a traffic study since the Kenneth Road bridge opened?

Mr. Ley: We are doing counts. We did it after the bridge opened, but we haven't done it in the last six months.

Comm. McGurren: It would be great if it could be done in whatever time frame is reasonable. I'd love to know if it's over 12,000. It's a lot more crowded than it was five years ago. Turning out of White Horse onto 151st is not easy during heavy traffic.

Chairman Elkins: For 2022, the major project seems to be Mission Road from 133rd to 143rd Streets. When do expect construction to start on that?

Mr. Ley: We are delayed for a couple reasons. Getting easements and right-of-way took about three months longer than anticipated. Evergy is the big holdup. They're going to underground power lines, so we're at their schedule. We hope they'll begin construction so that we can begin in July.

Chairman Elkins: Does that have the potential to push numbers further down the sheet? I guess it's more of an accrual-based thing, so 2022 is when we'll spend the money.

Mr. Ley: For Mission Road, most will be spent in 2023. It will finish up in 2024 just for the roadway.

Chairman Elkins: These dates are when construction is supposed to begin? It doesn't necessarily take into account year-by-year spending on each project?

Mr. Ley: Correct.

Comm. Block: Evergy is the only one that can underground the lines? We can't use another contractor?

Mr. Ley: That's correct. They bid the project out and manage it with their own preapproved contractors.

Comm. Block: I saw the improvements to the Aquatic Center and City Park, but I noticed a lot of overhead power lines on Lee. Why weren't those undergrounded at the time of this project?

Mr. Ley: That was brought up during the plan approval process at City Council, also. The issue is with the 100-year Floodplain. The transformers and switch gears have to be above that. They're going to have to come up and have an island in the middle for those. It was decided not to do that.

Comm. Stevens: I was trying to track the memo with the handout. It looked like there was a change on the second line with Project 80-155. We're showing that marked in red, but there wasn't a description for it. What you have on the screen is different. Maybe it's just this printout.

Mr. Ley: That project was delayed one year.

Comm. Stevens: I'm looking at the debt financing; it shows \$17,200 in red.

Mr. Ley: Project 80-155 is about a \$13 million project.

Comm. Stevens: Our handout shows \$15,200 on the debt finance chart. The city chart shows \$15,200,000.

Mr. Ley: There are two spreadsheets. One shows the total project cost; the other is the city's cost. It is anticipated we will receive \$2-\$3 million federal funding. The project is anticipated for 2027.

Comm. Stevens: What Mr. Scovill has on the screen shows different numbers yet?

Mr. Ley: I think we must have opened an older spreadsheet.

Comm. Stevens: City cost had dropped down.

Mr. Ley: Thanks for catching that.

Chairman Elkins: What's next, David?

Arterial Street Program (ASP)

Mr. Ley: This is the next six years. We work with adjacent cities on shared streets. The big changes from last year included adding College Boulevard from Nall to El Monte, working with Overland Park and Roe Avenue from 119th to the Tomahawk Creek bridge. Both of these projects we've managed by Overland Park. We've also added State Line Road from 81st Street to 103rd Street. We're going to have Johnson County Wastewater installing a force main underneath State Line Road. The plan is to work with them so we can complete that section of roadway once they are completed with their project. We did remove some projects off of the "pay as you go" and move them to capital. That was 103rd and 123rd Streets. That was due to the scope of those projects. It ended up coming out to \$ 2-3 million. It was too big for the ASP.

Chairman Elkins: David, the 2022 totals are substantially greater than the totals for the other years. If you look at the estimated cost, the difference is even more pronounced. Do we typically have more of a flat curve on the expenditures and this is an anomaly? Why is it so heavy in 2022?

Mr. Ley: Usually we try to keep it around \$1 million. If you look in the later years, it's closer to \$1 million dollars. We had quite a few projects that were delayed. Lee Boulevard was supposed to be constructed last year. Due to COVID, we had to push some of those projects back. They were initially scheduled in different years. We're still trying to get caught up.

Chairman Elkins: How are funds accumulated in the Street Improvements funds? Is that an allocation in the city's budget from particular revenue sources?

Mr. Ley: Part of it is from the 1/8 cent sales tax. We transfer over \$600,000 from that into the ASP and also into the Stormwater Project.

Chairman Elkins: Have we accumulated? Is that how we can afford to spend \$2.24 million in 2022?

Mr. Ley: As I mentioned, some of these projects were scheduled in 2021, they just carried down. We had the funds; they just carried forward each year.

Comm. Block: When you said that Overland Park manages the projects, it's not like chip and seal, right? This is a mill and overlay? Is it a new surface that's comparable to what we do?

Mr. Ley: It's similar. On their arterials, they put a very thin surface, a quarter inch, which is what they will do on College and Roe.

Comm. Block: Is that something that we would implement if it were one of our fully owned streets?

Mr. Ley: We have in the past. It's not a chip and seal.

Comm. McGurren: On that same page, under the 2022 program, the second listing, Mission Road from 127th to 133rd, is that mill and overlay like any other mill and overlay because there are no other changes between 127th and 133rd?

Mr. Ley: That's quite a large project. We're replacing all the metal pipe on that street. We're installing 8-foot-wide sidewalks from 132nd to 133rd on both sides of the street because the school is right there. We're going to stripe bike lanes and underground power lines on that section of road too.

Comm. McGurren: Are they widening the road like they did with the 119th to 127th Street portion?

Mr. Ley: This will be widened between 132nd and 133rd. It will be widened 6 feet.

Comm. McGurren: I'm talking about the 127th to 132nd Street section.

Mr. Ley: That section stays the same width.

Comm. McGurren: So, we won't have to widen it for the bike lane?

Mr. Ley: That's correct. We widened it slightly on 119th to 127th Street section to accommodate the driveways. We put that center left-turn lane in because there were a lot of accidents, especially from 119th to 123rd Streets.

Comm. McGurren: It was a huge improvement.

Chairman Elkins: I've heard some expressions of concern about the traffic at Mission Trail, which is part of the Mission project. From a traffic studies standpoint, have we looked at the left turn and the traffic issues at Mission Trail at the beginning and end of the school day? Where does Public Works stand on that?

Mr. Ley: We are going to widen that section on each side by 3 feet. It will get 6 feet wider overall. We're going to stripe it with a 5-foot bike lane and a 3-foot buffer that allows southbound vehicles to utilize that area to wait until they get into the parking lot. Southbound traffic will be able to stay on the same side of the double yellow as they're driving to the south. They won't have to cross over the double yellow.

Chairman Elkins: So that is something less than a turn lane but with additional width to provide something for southbound traffic to get by?

Mr. Ley: We don't want to overbuild it by building a lane that is used for not even 30 minutes a day. That's why we've looked at doing a bike lane with a buffer, to give the cyclists more of a buffer during those non-peak hours. It ties into what we're doing on Mission Road south of 137th. We're doing a 5-foot bike lane and a 3-foot buffer.

Comm. McGurren: In both cases, by 137th and Mission Road, people are interested in turning into the school, are going southbound, and can't get in because everybody else hasn't cycled through. The cars build up and the people that just want to go straight through have no option. Is your point that in the future, those cars will move into the curb, with $\frac{3}{4}$ of those cars off the road and the lane that will be able to go straight through will be accessible to a normal-sized car?

Mr. Ley: The section by Prairie Star was four lanes already from the entrance to the south. Heading southbound, we're adding a left-turn lane. Southbound Mission will have a dedicated left-turn lane for Prairie Star.

Comm. McGurren: And that will go into the northern-most entrance?

Mr. Ley: Yes.

Comm. McGurren: Will it be long enough to where you could have fifteen cars lined up there and everybody else would be able to get by?

Mr. Ley: The engineers did their traffic study and determined what that queue would be. It's anticipated that it is going to be long enough.

Comm. Coleman: Mr. Ley, can you give me an update with where we are regarding the stoplight at 127th and Mission?

Mr. Ley: We are collecting traffic counts currently. We'll supply that information to the engineers to see if the traffic signal is warranted.

Comm. Coleman: When do you anticipate that?

Mr. Ley: Probably in a month or so. We did traffic counts during COVID and wanted to go back and get them again. It was in July, so we decided to go back. They've been out there since yesterday and are getting counts as we speak. The study has already been developed with the old counts, so they should be able to update the study based on the new counts fairly quickly. Within the end of the month, we'll have enough data.

Comm. Coleman: Is there a certain number that triggers a need for a traffic light to be put in?

Mr. Ley: It's based on the manual on uniform traffic control devices, so there is a minimum that needs to be on the side street, which is 100 vehicles an hour for four hours going eastbound on 127th. Typically, that is what's required.

Chairman Elkins: Anyone else? David, what's next?

Self-Propelled Leawood

Mr. Anderson: I'm going to start off with some of the Parks and Recreation bicycle suggestions. The first one is the new trail that is under development behind city hall from Roe to Tomahawk Creek Parkway. This was one of the important bike boulevard-level connections that the master plan had because of its connectivity with the shopping centers around here, our city hall library, the trail system that's a regional trail network. It's a very important amenity to add so people can use the trail to actually run errands or go out to dinner or do other activities. This project was also one that became more expensive after we started estimating it and looking at the improvements, we needed to make to the box culvert that goes underneath Roe and the floor of the tunnel that was holding water. It was actually dangerous to use it. The wing walls as you come out had to be replaced so that added to the cost. That's what taken the project longer to get started. We were fortunate to get a cost-share grant from the Kansas Department of Transportation. I would like to thank Mayor Dunn, as she was at a meeting of mayors and was having an update about available funds. She came back and recommended to David and Chris to consider applying. They put together an application and it turned out really well. We got it, and 75% of the costs were reimbursed. It's anticipated that this trail will finish in the fall of 2022. It's been doing really well. We had our contractor ready to go over December and they wanted to wait until the weather was right and not have to stop and start. During this time, they were ordering the bridge that was delivered early. Since they started work, they got the bridge set and a lot of the concrete has been poured for the Roe tunnel. They're moving forward

to doing trail work. There'll be a street crossing at Tomahawk Creek Parkway. That one is coming along very well, time-wise.

The next thing I want to talk about is the bike-walk trailhead we're doing at City Park. That's currently under construction; it's part of our aquatic center building project. This was an idea that is the starting point for where the south loop and the north loop recreational rides begin. That was a recreational amenity that came about through SPL. Our bike walk committee had the idea of making this trail head more than just "mile marker zero." They wanted something that would be a destination or a starting point that was impactful. So, we hired an architect and shown on the screen are early renderings of what this will look like. We've got some different angles to this. Some of the amenities include a shade structure, picnic tables to eat before a ride or a hike, seating, a drinking fountain with a bottle filler, a dog bowl for pets, a misting pole to cool off, bike parking, and a bike repair station. This trail head will serve as the trail head for Indian Creek and Tomahawk Creek Trail as well. It's a really good investment. Part of our multi-purpose building that we're building at the pool will include restrooms on the west side, close to this and close to the parking next to the trail head. It will enhance awareness of the trails. We'll have some interpretive panels underneath that shelter that would have maps of the north and south loops and a brochure deck for people to grab from. I think people will appreciate these amenities.

The last thing I want to bring up is the wastewater treatment facility. They shut the Indian Creek Trail down that headed west of out of City Park for three years. That's reopening here with a soft opening. They're working and doing landscaping during the day and it's opened up. What's important with that is how it's coinciding with the timing of the trail head. The bike committee came up with the idea of doing a west loop. That would mean going into Overland Park and working with them. We've had some conversations with the Parks and Recreation staff there and they're open to it and like the idea of it. I'm going to refer to it as a west loop for now; though that's probably not what we're going to call it. It would be a trail-only loop that we would put wayfinding signage along the Indian Creek Trail. When you would get to an arterial street in Overland Park that's got a ten-foot-wide bike hike trail next to it, which would be your link going down to Tomahawk Creek Trail and then you could come back in and complete a loop there. Our thought was with the north loop being on a residential street, the south loop using some trail, some residential streets and some busier streets on Mission, this one would just be a trail. Then you've got different levels of options for people.

Along with that, Overland Park and I have discussed making a special wayfinding trail marker that we would place wherever you have to make a change to keep on the loop path. It would guide you, similar to what we're doing with the south and north loops. That's an update on what's been going on with the Parks and Recreation side. Dave, you talked about a lot of these with the road projects and stuff, but I wanted to share this proposed bicycle and pedestrian improvements that are in the CIP for the future years 2022 to 2028. They are the road projects that have to do with bicycle and pedestrian improvements that were in SPL. The first one is Lee Boulevard. Phase 3 is from Summerset to 83rd Street. Phase 1 went from 103rd to 95th Streets, and Phase 2 was 95th to 83rd Streets. Originally, we had anticipated doing that in two phases, but costs and delays pushed it back and caused a 3rd phase. It's planned to be finished by October of this year. Lee Boulevard, within our city limits, will have a bike improvement all the way down to City Park and bike lanes all

the way down to 83rd to 103rd Streets. Sharrows were the recommended way for guiding bicyclists down to City Park. The next one is Mission Road from 127th to 133rd Streets. What I like about this one is that Mission Trails Elementary school has a really active bicycling to school and walking to school program, and they push it a lot. We're going to improve the pedestrian crossing signal and we're going to widen the sidewalk for them. These improvements, plus the bike lanes, will be safer and make it easier to ride a bike or walk to school. Going down 133rd to 143rd and having eight-foot-wide sidewalks on both sides and five-foot-wide bike lanes will make it a really complete street and should be able to handle everything, including the bike traffic. In 2013, when we were starting SPL and were going through the process of getting public input, some of the heaviest concerns we had from citizens and people that came to the meeting were the bike traffic on Mission Road and the dangers of the narrow road for cyclists. The improvements we're doing emphasize those and follows through with what the bike plan recommended. The pedestrian signal on 143rd, west of Granada, is one that will help the south loop. When you're riding the south loop and leaving from Gezer Park to Ironwoods Park and trying to cross at 143rd Street to Windsor, it's tricky. The traffic can be heavy and the hills come up fast and you have to ride uphill to get across. The idea of moving this down further and having a signalized alert crossing will help a lot with safety. It will help the students get to school from the south, too.

In the bike plan, they had thought to have bike lanes on 83rd street. What's going on with Prairie Village and Overland Park is that they have already marked theirs with sharrows. So, considering the way we have our speed set there and the traffic and width of the road, we're going to try sharrows to begin with. As I understand it, we have enough width that if we needed to restripe and add bike lanes, it is possible. On 123rd from Mission to State Line is where we have the bike lanes currently up to the school. We have a sidewalk on one side of the street and what the thought would be here is that street is wide enough that you could keep the bike lanes but also add an eight-foot-wide trail on the outside going up to the school. It would be brought over to State Line and that would complete it. The wide trail doesn't go all the way over to State Line. The 3 Rivers Historic Trail that routes through the Santa Fe Trail has special wayfinding signage for a pedestrian-recommended route. Crossing State Line from Kansas City, Missouri, on 123rd Street, hitting Tomahawk Trail, was a pedestrian alternative to the motorized route that's out on 135th street, for example. It's good that we're improving the pedestrian experience on this street.

The next one would be Tomahawk Creek Parkway from College to Roe. Even though we have the trail, Tomahawk Creek Parkway is an excellent road-riding route. If we could add bike lanes out there, the plan would be to add five-foot-wide bike lanes on Tomahawk Creek Parkway. That will greatly improve the flow of traffic and the safety for cyclists when we do that. Several years ago, we did a special bike riding race, called Kermis on the Parkway, and we closed Tomahawk Creek Parkway for the day. We probably had 200 cyclists that came that day and they loved riding that flat, straight road. You can go really fast out there on a road bike. That's why this road is so popular, I think, because it's not hilly. So, we're doing what we can to add bike lanes, which was recommended in the plan. That won't be until 2023, which is when we would start construction. I wanted to go up through 2023, and I'll answer any questions you might have.

Comm. Coleman: Mr. Anderson, question on the trails. Do we have any signage at the city limits telling people “Welcome to Leawood” or is there any marker or stripe to signify that you left KCMO and entered in Leawood?

Mr. Anderson: We do. Particularly at State Line and also at the west side of Mission Road along Indian Creek Trail when you leave from El Monte just out of City Park where Lee Boulevard has the signal to turn on Mission Road. If you go underneath the bridge, there’s a sign that says “City of Leawood” and has the trail regulations. Same thing at State Line, when you’re coming over from the Missouri side. We’ve also got the mile marker zero at Indian Creek Trail. We do have one at I-LAN Park when you come underneath Nall, from Overland Park, and you’re in Leawood on the east side of Nall. We’ve got them all covered.

Chairman Elkins: Any other questions for Mr. Anderson? Brian, just some terminology issues. You’ve used the term “sharrows” a couple of times. Please enlighten us; what is a sharrow?

Mr. Anderson: A sharrow is a large bicycle symbol and is usually in the right 1/3 to the middle of the lane of traffic. It has the chevrons above the bicyclists. The intention is to alert motorists that they’re on a bike route and to expect bicyclists, and it helps guide bicyclists as well.

Chairman Elkins: So those go in place, even if there is not a designated or painted line for a bike lane? Sometime you’ll use those sharrows to give alerts to the motorists that that is an intended bike lane area as well?

Mr. Anderson: Exactly. I guess their best use is in lower speed situations. We keep them in 30 miles or less zones.

Chairman Elkins: I noticed, especially with a lot of the places on your map where it’s indicated “future development”, there’s a term there, “side path”. Can you distinguish “side path” versus “shared lanes” versus some of the other terminology you have for the SPL?

Mr. Anderson: They are all the same thing, usually. A side path can be a term used for a shared use path. A shared use path means that they’re typically ten-foot wide for two-way traffic to accommodate bicyclists and pedestrians. Ten feet is the minimum. What we’re doing for some of these street improvements is having an eight-foot-wide path on both sides of the street as well as bike lanes. This will give plenty of room for all these types of activities. Cyclists can be in bike lanes or on the path and we will still have room for pedestrians.

Chairman Elkins: Are those paths that you talked about separate from the motor vehicle way? Or are they adjacent to?

Mr. Anderson: Yes, it’s similar to a sidewalk along the street, just wider.

Chairman Elkins: So, it's similar to a street, kind of like what we have along Indian Creek Parkway here, to a certain extent?

Mr. Anderson: Yes. Or along the west side of Nall, there's that ten-foot one. That's the first one I think of. 143rd Street has one on the north side of the street.

Chairman Elkins: So, it's a super wide sidewalk?

Mr. Anderson: Yes.

Chairman Elkins: For my last question, I happened to notice while looking at the map, as part of the north loop, there's something called the Lee Boulevard Bikeway that runs straight down Lee Boulevard. Can you distinguish what the intent is of the Lee Boulevard Bikeway versus the north loop bike way.

Mr. Anderson: I don't know why we ended up calling it that on there, although now it has bike lines and goes all the way through town. So maybe on a bicycle map, referring to it with that terminology can inform a cyclist that it would be a bike-friendly road. It's more of an internal for you to see why we put that on there.

Chairman Elkins: So, it's the same use as the north loop is, it's a shared street or is it separate?

Mr. Anderson: The north loop is primarily using low-speed, low-traffic residential streets and we have the symbol that has our special marking. On Lee Boulevard, we don't have those. It's just got bike lanes on it, just like 143rd Street or 123rd Street.

Chairman Elkins: Are those marked with sharrows as well, or just a separate bike lane with a white line that goes down the side to designate the bike lane?

Mr. Anderson: The bike lane has the solid line and it's five or four-foot width, so there are no sharrows there. It's either sharrows or the bike lane, you don't use both.

Chairman Elkins: Is there any signage at all, other than the long white line down Lee Boulevard?

Mr. Anderson: Yeah, we've got some bike route signs that are up along there. Mostly, it's going to be paint.

Chairman Elkins: I'm just curious, has the Parks Department done any sort of a traffic study? Do you have a sense for what kind of traffic counts we have, in terms of bicycles, on any of these, including the north loop and the south loop?

Mr. Anderson: I don't. We've talked about it in the Bike Walk Committee meetings as well. Maybe we need to invest in two different things. We don't really track any trail traffic either, and we could install trail count markers and try to get a handle on how many visits

on the trails. The same thing goes for pedestrian bike counters. Typically, it's in the Public Works side of things, where they can monitor that kind of cyclist traffic. We just haven't done any of that to date.

Chairman Elkins: Anecdotally, pedestrian bike conflicts, particularly along the Indian Creek Parkway Trail, and to a lesser extent, some of the other trails along 143rd Street, happen on these side paths. What are you hearing? Has the Police Department gotten any counts on bicycle-pedestrian interactions? What's the Bike Committee thinking in respect to potential conflict, especially on those nice trails? The trail on Indian Creek Parkway is a place where bikers like to go fast and startle walkers on occasion. Can you speak to that?

Mr. Anderson: Sure, I can. That is a common complaint we receive, speeding bicyclists from pedestrians. With the electric bikes and things like that, we have a trail committee where a lot of our trails connect to one another and we talk about issues we're all dealing with. Speed is a common issue, it's like motorists on the road. You can choose to speed and be unsafe, but you should ride carefully and be courteous. We do have signs on our trails and our maps that encourage people to be courteous, announce when they're going to pass someone, slow down, and only pass when it's safe to do so. Unfortunately, there are maybe some people who are not familiar with riding a bicycle either and they get going too fast and can't control it. We do get complaints on occasion. We ask the police in every meeting we have for any reports of any kind of bicycle incidents or accidents. They don't respond or get a lot of them. People also don't call them out because of injuries as well. We have them on occasion, but a lot of times, it's a conflict. Through my observations and callers, it's not just cyclists. It's pedestrians too, walking their dogs and doing other things to take up the whole trail. Everybody should work together for this kind of thing. Maybe people should walk single-file on some of the smaller trails. Some trail segments are still eight-feet wide. Everything we build now in the Indian Creek and Tomahawk Creek Parkway trails is the standard ten feet. We're actually making our pedestrian bridges twelve-feet wide to accommodate anything we may want to do in the future. They've gotten a lot more popular, especially with the pandemic. Those are some of the ideas that we've thought of, trying to put in more signage emphasizing courteous riding, being aware of others as you're out there, and watching your speed.

Chairman Elkins: Does the police department have any officers assigned on bicycles to control, even infrequently, along the trails?

Mr. Anderson: So, they have in the past. Right now, they don't have anyone that I've seen actively on the trail on a regular basis. I will tell you that they have quite a few of their officers that have gone through the necessary bicycle training, so they've got a lot of cross-trained officers that can do that. In years past, we were interested in trying to apply for a bike-friendly community recognition program and things like that, and the city always scored really high on the law enforcement side of things. We've had enough officers that were on the trails and patrolling, which wasn't always seen, and their training knowledge was good as far as responses to accidents and things like that.

Chairman Elkins: Thank you, Mr. Anderson.

Comm. Block: I think there was discussion once of putting all the trail bike lanes into Google Maps or Apple Maps. Did that ever happen or is that still planned?

Mr. Anderson: We were working on that with Johnson County Aims at one time. We were trying to put together a program. With Google Maps and everything else, if you click on the bicycle layer on that, they highlight the trails in green and do a good job on guiding you on bike trails and bike-friendly routes. Using what's available for free is probably the best option.

Chairman Elkins: Thank you Brian; I appreciate it. I'll just note that this is part of the requirement of the ordinance we adopted years ago to encourage a SPL and have the Parks department come and give us periodic updates on progress. We appreciate the continuation of that, thank you.

Potential Leawood Development Ordinance Amendment Regarding Car Washes

Mr. Klein: Currently, the Leawood Development Ordinance has car wash full-service. Last year when we were going through this, both Planning Commission and some members of the Governing Body indicated that they might be okay with having a classification as far as having a car wash semi-full service. The difference between those two is that a full-service would require that all activities, including washing, drying, and vacuuming, would be done by employees of the business, where as a semi-full-service car wash would be employees washing the car, but there would be stations where residents could go and vacuum and dry their cars down. We were thinking that it would follow along the same kind of restrictions that we have on the full-service, specifically as far as the ordinance amendment requiring that the washing be done in a fully-enclosed building and vacuuming and drying would be done under a hard canopy. It would still have to be done with all the requirements as far as right-of-way, 60/40 Rule, setbacks, screening, that kind of thing. The only difference you would see is that in the semi-full service, you could have residents and vehicle owners doing the vacuuming and the drying, whereas the full-service would be the employees 100%. We are hoping to bring that forward to you either this month or the following month.

Mr. Sanchez: The pictures on the screen emulate what staff is really wanting to push forward, so having the building right up on the street, on State Line and 135th Street, would push the parking and the drying back toward the inside of a development. So, you would hide that from the public right-of-way. You'll get a nice visual along the street and all the workings of a car wash go toward the inside to make it visually appealing. This one is on Roe, north of the highway. In Tommy's Car Wash Express, the building is more toward the street, giving it a better visual appeal. From the street, you get to see a nice visual landscaping and the building pretty close up front to the street.

Comm. Block: Why is this coming to us now? I think you told us in the past about the former Winstead's site on 135th Street. Is somebody coming to the city looking to put something like this in or is this just in preparation for that?

Mr. Klein: We've had some interest again with regard to 135th Street. It seems like Winstead's been mentioned before as the Cornerstone development, located along 135th Street. It's that parcel that is just to the west of where the CVS is; it's vacant. It seems like we've had a number of requests over the years. There's always a challenge when you do some of this because you have traffic circulation that you have to accommodate and if it isn't large, that may be difficult too. This would address some of those issues. The Planning Commission and also the Governing Body had concerns allowing full-service which would limit the competition and little difference in visual impact.

Comm. Block: In your two examples, the first one was in Kansas City, Missouri. Is the second one in Overland Park?

Mr. Klein: Yes.

Chairman Elkins: Back when Waterway was first approved, have you looked at the minutes and the discussion? That's usually the example given to us: "You approved Waterway, and Waterway doesn't have setbacks." Could you give us your views and whether you've looked at those minutes regarding the screening? What did the commission at the time think about car washes?

Mr. Klein: I didn't see the minutes from back then. I know it was here when I got here, which was November 1999, so it pre-dated that. It's from the last ordinance. The 60/40 Rule is brand new in this ordinance, it was not in the previous ordinance. A lot of this, as far as pushing the buildings up front and limiting the payment and parking adjacent to the public wasn't something that the city wasn't regulating. You can see that with the developments we have. Tomahawk Creek Parkway is beautiful but has a lot of parking that goes along the right-of-way. Currently, under our ordinance, that wouldn't be allowed. You'd have to have 60% of it to a depth of 90 feet be building or landscaping conditions. That's part of the reason that at the time, they were going through and making sure it was meeting the regulations that they had. It was full service and I think it's done very well. I know there was a conversation the last time we came back that involved Waterway and what it would do to this. It makes them a legal, nonconforming use. If you had somebody from Waterway come in, it would be under the current regulations. If you had Waterway and they wanted to expand, they wouldn't be able to expand the nonconformity. They'd have to start conforming.

Chairman Elkins: Refresh my recollection, does a car wash require a special-use permit?

Mr. Klein: I don't believe that a car wash does, but let me check that.

Chairman Elkins: I don't recall that it did, but I was just curious. That would then raise an issue when the special-use permit came up for renewal.

Mr. Klein: No, it's only allowed in the SD-CR (Planned General Retail). It's listed as a planned use.

Chairman Elkins: I'm curious to hear from the other commissioners on car washes and regulations.

Comm. Coleman: I was reading the minutes from the council that Mark included in our packet and it seems that they are open to having something like this. I'm not completely against it with the proper screening and proper location.

Chairman Elkins: Do the regulations seem appropriate? The 60/40 Rule and whatnot?

Comm. Coleman: Yeah, it depends on the site. If it's going to be on 135th Street, I would give it more leeway than I would if it were on, say, 119th Street. It really depends on the location and how it comes before us. The first example had the building completely against the street and everything was on the other side of it. The Tommy's, in Overland Park had some of it against the street and some of it open. For me, it's going to depend on the piece of property, how the drawings come out, and what they can fit where.

Mr. Klein: Tommy's does not meet current regulations. The first one you saw would be an example of what you might see along 135th Street on that parcel that we were talking about, adjacent to the CVS. It would be a matter of whether the parcel would be deep enough to accommodate that circulation.

Comm. Block: I was going to say the same thing. That's why I asked if the site was being contemplated. It would depend on the site. The Winstead's seems like it's just tucked in there. If you plopped it in right next to Talk of the Town, I don't know about that. I don't know how that fits into the 135th Street Community Plan. That doesn't seem like something we would want on 135th Street? With the church being behind it, it seems to cheapen the area.

Mr. Klein: It just goes back to where it is. I don't know how we can control that, how it fits in.

Comm. Block: Right. It can go in as far as general retail. It does come before the Planning Commission and Governing Body; however, it is a planned use. Part of the restrictions we have are to try and make the things you wouldn't want to see hidden and screened. You'd still have the building up there and obviously a car wash building could take several different forms, as far as what it looks like. That's something the Planning Commission and the Governing Body would see before it was approved.

Mr. Klein: In that case, the people in the hotel are looking at the working part of the car wash, so it doesn't seem ideal from that perspective. I don't know what other height might be in that area, but you'd just be looking in on the innards of it.

Chairman Elkins: When you talk about it being a planned use, what kind of discretion do we as a commission or a city have, to say that we don't think a car wash in that spot is

appropriate? As a planned use, do we have the discretion to say that even though it is a use that's contemplated in the ordinance, that's not the right spot for it?

Mr. Klein: With the planned use, they have a more solid footing as far as it being there. However, you still have a lot of discretion as far as the aesthetics and how things circulate. The special-use permit may show that it's allowed within that zoning district but depending on the site that it goes in, the city can very easily discern whether it's appropriate for a specific site. They have a little bit more discretion to turn it down.

Chairman Elkins: Are you contemplating that there would be a special-use permit requirement?

Mr. Klein: Currently, it is not listed as a special use; it's listed as a planned use. That's something that we could talk about with the Governing Body as well if they felt it appropriate. I understand your points about not wanting internal workings shown to the public. Again, we're trying to screen that and make sure that it fits in as much as possible.

Comm. Hunter: I think that the way it's drafted right now, it blocks out the entire segment of business. Car washes are important to all of us, so it would be nice to be able to see some of them that would conform to our ordinance, to be able to move in. Under the 60/40 Rule, you would want the main part of the building along Roe? Whereas the main part of Tommy's is along Indian Creek.

Mr. Klein: Right. Basically, the way the 60/40 Rule works is that if you have more than two frontages, the ordinance requires that the 60/40 Rule be met on the two classification streets that are the highest. It's intended to make sure that most of the traffic that's going by has protection against seeing the building and doesn't see parking or the drive through.

Comm. McGurren: I'm certainly open to it also. I agree with the comments about location and Leawood's expectations. I think it is likely appropriate in that terrific location, meeting the standards that have been set.

Comm. Hunter: If you required a special-use permit, could you do that for an entire segment of businesses?

Mr. Klein: It goes by use. In the table of uses, it lists if that use requires a special-use permit or just a planned use. The special-use permit has more teeth in it than the planned use. You would still have a lot of discretion with regard to what the building looks like and how it's organized on the site.

Comm. Hunter: How long is the special-use permit for cell towers?

Mr. Klein: It's long. It's about 20 years by default. The Governing Body has the ability to make it shorter if they want to. On the cell towers, 5 years was typical for a long time. This last time, we did approve them for the 20 years because of the telecommunications regulations.

Chairman Elkins: I have concerns about car washes in general, especially on the main arterials. I also recognize their utility for the community, however. There are business people that make their livings on that, so I want to be careful about regulating those out of business. This approach does give us some fairly significant regulatory ability to make them as aesthetically positive as they can be.

Comm. Stevens: I was curious about the city council notes. It seemed like there was interest or options for fabric structures, for the canopies versus hard structures. I heard you say what's going to be approved would be the hard structure for the vacuum area canopies.

Mr. Klein: Correct. That was a discussion that went to the Governing Body. There were some people in favor of fabric awnings, however, in the final motion, it was decided to have hard canopies instead of soft.

Chairman Elkins: Thanks Mark; I appreciate it. I would encourage you to look at the special-use regulations as well.

Mr. Klein: We will.

Density and Height

Mr. Klein: This is something that we want to talk to you about, not only tonight but have at least one more work session on it, and go from there. On February 7th, the Governing Body had a work session in which they wanted to take a look at some of the regulations with regard to the guide of the 135th Street Community Plan. This was after the Cameron's Court project got approved. There were some members on the Planning Commission and the Governing Body that had some concerns as far as strict compliance with the 135th Street Community Plan and how it might produce something that the city might not necessarily want. In doing that, we also took a look as to the amount of land that doesn't have a plan approved or development on it. We have a map and it takes a look at the available properties. As you can see, there is about 20% that is left to be developed. That is broken up in different spots. Right now, you wouldn't have another Cameron's Court that had 116 acres. 23.25 acres is the largest single one that's located there. If they decided to get together with their neighbors to the west, in total that would be 30.86 acres. Again, nowhere near the 116 acres that you would have before. One of the things that we wanted to do is go little-by-little through the height and density with regard to different styles of housing that might be done. We'd also like to talk about the possibility of a new zoning district. That zoning would be a mixed residential district. In that case, it wouldn't be mixed use, it would be a mix of housing types. This attacks the affordability component of that as well.

Chairman Elkins: The colored parcels are the ones that are currently vacant without a plan?

Mr. Klein: Correct. Some of them had a plan before but it expired. If it has a single color that means it's under a single ownership. The colors are actually showing you the different ownerships that are there. That yellow color that's in the upper northwest corner of the

color block is all owned by one owner even though it's broken up into smaller parcels. The different owners are also there with them on the north and south on the west side of it as well.

Chairman Elkins: Am I correct in remembering that the Purple Oxford Partner's Plot has an approved plan on it?

Mr. Klein: It does not anymore. It used to be Mission Corner. That was a development that was a mixed use that was located there, but that plan is now expired.

Chairman Elkins: So, the residential one that got approved is the one on the southeast corner of Roe Avenue?

Mr. Klein: Correct. It's the one where you can see the bank and the Gardens of Villaggio that's on 135th Street.

Chairman Elkins: Are there any of the others that are not colored, thus indicated that they have an approved plan that are coming close to the expiration of their plan?

Mr. Klein: You have one, located where the Sharp Trustee is on 21.9 acres. The property to the south of that was an independent living facility called The Majestic. That one got an extension and they are thinking about doing something different, but we don't have an application for that right now. It's my understanding that they might be coming back. Right now, that plan is still valid.

Comm. Coleman: You brought up the expiration dates. How long from a preliminary plan and a final plan until it expires?

Mr. Klein: If you have a preliminary plan, you have 2 years to get the final plan in. Once you have the final, you have 10 years. It used to be 5 years, but there was some litigation that took place and they, by state statute, extended that to 10 years.

Chairman Elkins: And that's to begin construction?

Mr. Klein: Correct.

Comm. McGurren: Just to clarify, I agree that 23 acres isn't 116. When we did the work session 2-3 years ago out at the golf course, someone had been requested to come up with various concepts, and they had an aerial shot of what was out in Lees Summit, they laid it onto one of these parcels. Do I remember correctly that it was the 23-acre parcel? Does that sound right to you?

Mr. Klein: I don't remember.

Comm. McGurren: My recollection was that we were all astounded that what had been built out there fit perfectly onto one of these parcels.

Mr. Klein: It did. That was one of the questions that was at the work session as well. With these being the size they are, can you really do anything with them? Mission Corner, which is the one that Comm. Elkins mentioned, had a big development. Park Place is about 28 acres and so is Mission Farms. It is enough room to be able to do something very nice.

Comm. McGurren: It would still be a significant development.

Mr. Klein: Correct.

Comm. McGurren: It would be significant for any of the ones that are left, even though there might be people interested in buying or selling.

Mr. Klein: Right. This slide is indicating where the 135th Street Corridor is. The idea is that you have the height increase as you go from 137th to 233rd Streets in toward 135th Street. Lower heights adjacent to the existing residential that are on the north and south sides of those streets. Density would be the same way. It gradually increases as you move toward 135th Street. That is important because it's something that the 135th Street Community Plan had as a guide that the Leawood Development Ordinance (LDO) did not have. The LDO allowed a maximum height within MXD of 90 feet. It didn't say that it had to be set back more than the residential setback for MXD, which is 75 feet. When we talk about the 75 feet for the residential setback, it's actually from the building to where the zoning changes. What we wanted to take a look at is how to encourage those and incorporate those into the LDO. Again, it's more of an immediate impact, as opposed to changing the 135th Street Community Plan because these will be ordinances that the applicants will have to meet. That's where we're headed with this.

Comm. McGurren: I came up to the session that the Governing Body had, and one of the council members made a perfect point. It was something to the effect of the Community Plan being used against us. I thought that was very well said. What I would desire over the entire corridor would be the flexibility to do what we think is right now as compared to what they thought 20 years ago. I just want to feel like we have more flexibility and whatever we indicated was our desire wasn't going to be used against us. That is my prevailing perspective. I think we need to be more open-minded about what goes along here. To the point that was made earlier regarding location, we should be looking at what is really going to benefit the community. I have full faith that we would have the right expectations as a city and would build something that looks fabulous. I think that the plan that exists today can still be used against us. It's too confining and unrealistic based on the economy and the parameters of what should be built is financially viable to be built.

Mr. Klein: We would like to have that conversation with the Planning Commission to reach into those issues. We would like to introduce a new zoning district, which is the mixed residential. We would like to keep these parcels of land that are at the four corners of the major intersections, such as Mission and 135th Street as true mixed use. That's typically where commercial is able to survive; you have that traffic generation and that's where they want to locate. So, what we're going to show is a couple of locations that aren't

right on a major intersection, but rather in between. You could have the housing, which would still benefit the commercial, but not just take up prime retail locations.

Chairman Elkins: Is the thought that the way to execute the idea of a gradient of density and height to do it by zoning district? How do you do that? I get the concept and why there is a need, but what is the mechanism to affect that?

Mr. Klein: The plan has transects, and transects I'd imagine you could have separate zoning districts for each one and its parameters. But that gets very messy because of all the little sub pieces that you're putting together with other pieces. And you're bumping up against spots. What we're going to take a look at and what we thought we might use as far as setbacks may be within the first 200 feet that's adjacent to existing single family, you have to have no more than 2-story buildings. Basically, that would match what it was going across and it would be as far as the length of a block. You'd have a street and a transition and then maybe you could go up in density and height. That's something that we want to talk to you about. We have been taking a look at that to see what the different options are. Right now, setbacks looks like it might be a way to do that, but we're still exploring. We would like to take a look at doing this as an overlay district. If we made these changes across the board to MXD, then suddenly, we're making a lot of our current MXD developments nonconforming, including Park Place and Mission Farms and Parkway Plaza. That wasn't the intent. This is more focused on the 135th Street Corridor, so it would be an overlay district that would go over and go down on this, providing additional restrictions. Typically, an overlay district takes the restrictions that are already there and it puts a layer on top of it. Some of the ones we're going to be talking to you about may actually replace some of the ones that are there right now. Again, that's something that we're working through.

Chairman Elkins: I'm trying to think of how the setbacks would implement a massing gradient. I understand it's one of the things that you want to accomplish, a gradient of massing from high massing near 135th Street and less density toward residential areas. How does the setback accomplish that?

Mr. Klein: You're creating more of a buffer. Under the current ordinance, you'd be able to go up 90 feet, right from that spot, which would have been an issue with regard to a lot of residents in the area. If you have that same setback, say 150 or 200-foot setback, and you say that within that setback, you can't go more than 2 stories and have a density of more than four units per acre, then we have something that staff can actually measure and the developer can actually measure and draw. The reason why we are looking at the 200 feet is because that is a full block. We've been taking a look at other cities and how they're doing it. If you did split a block, you could have a house, but the houses would have to have their driveways facing inward. It would go back to the depth that's there.

Comm. Block: So, it sounds like you're trying to be consistent with the 135th Street Community Plan and defining it better in the LDO. The heights are all defined in that plan, and you're trying to bring it into the code, is that correct?

Mr. Klein: We're trying to bring it into the code and taking it down because, if you remember, the height along 135th Street was 115 feet, and we're proposing something that would be quite a bit lower. This is the direction that we got from the Planning Commission and the Council when these were discussed. We would like to add some flexibility as well. Obviously, if you have an opportunity for an iconic building or a focal point, you want to be able to have that. Staff is thinking of the Governing Body and Scott Lambers suggested a special-use permit would be a great way to do that. It provides a little bit more teeth. You don't have to approve it in that location, but it allows the city to take a look at it and evaluate if it makes sense. If it does, it could be approved. That would be where the flexibility would come in.

Chairman Elkins: How do you accommodate differences in topography?

Mr. Klein: That was mentioned in the Governing Body works session. It would be ideal, right? You have 133rd Street as an example. You have the height of the 2-story houses that are there, and if it fell from 133rd Street down to 135th Street, you could actually have taller buildings but they wouldn't be any higher than what the existing houses are. It would allow them some flexibility to go up, yet it wouldn't have the same visual impact. We did take a look at that, and what you're seeing right now is the topography. We measured whether it was increasing or decreasing, and unfortunately, what we are finding is that a lot of places are increasing in height. No matter what they built, it was going to be much taller. On the east side, there are many more opportunities. You see the -10 and -14 where it's dropping from 137th Street to 135th Street? You're also in a floodplain area, so chances are, you're not going to build there anyway. The one with the -30 that's located on the old airport property might be an area that could have a taller building that wouldn't be seen quite as much from the north.

Comm. McGurren: Did I hear you correctly that you are currently thinking that the intersection of 135th and Mission would have all four corners remain generally retail? Are you doing the same thing at State Line or Kenneth Road on the east side?

Mr. Klein: Correct.

Comm. McGurren: State Line 136, LLC, the purple and the blue?

Mr. Klein: Yes.

Comm. McGurren: If you say that Cameron's Court builds the retail and the retirement facility, everything on the east side of Kenneth would be normally retail, and everything in the middle we would hope would be built out. So, from Fontana to the west it would be open to something potentially different, and from Pawnee to Kenneth it would also be open to something different and/or housing.

Mr. Klein: Correct. We were still planning on keeping Cameron's Court as mixed use; they had a plan. The other pieces that are leftover, yes.

Comm. McGurren: That does kind of create a spot between Roe and Fontana on either side of 135th that, in theory, could be one thing, and everything in between Pawnee and Kenneth could be similar to that, with the retail in the two spots we already talked about.

Mr. Klein: Right.

Comm. McGurren: In general, with the plan that you're talking about, would it be possible in any of those locations that are still yet to be decided upon that are not the retail corridor, that two different kinds of housing are possible? Is that feasible on these big plots of land that are not retail?

Mr. Klein: We think it is. Basically, we want to try and get several different types of housing, because then we're hoping that with several different types of housing you get several different price points. You might get a mixture as far as ownership, rental, that kind of thing. We're trying to address some of that that's in there.

Comm. McGurren: Speaking of several different kinds, I'll ask one more question. The gentleman that came in here who is building the development off of Roe and 135th that will be a four or five-story condo building that is on the empty land that is just to the south of 134th Street, do we remember him? Let's assume that goes well and in five years he comes back and wants one of these parcels that could be housing. Is that another option that could be possible with what you're considering going forward?

Mr. Klein: That one is already in an MXD zoning district, so it's already in a mixed-used development. We would probably look at that to maintain as far as mixed-used and that would be the residential component of it. The one thing about Parkway Plaza is that we have a lot more commercial that developed out instead of residential. We had those nine 3-story condos that were located up against 133rd Street and two of them got built. This is the only other residential that's been built. It's still got a way to go to meet that balance as far as residential versus commercial.

Comm. McGurren: The reason I ask is that I'm excited about what you're talking about. I think we do need retail in the most viable locations and it might take a long time for that to happen, but I think we ought to hold out for that to some extent. I think in the other locations that you've spoken about, having the ability to have different levels of housing, different kinds of housing, different price levels, would be advantageous. If it turns out that the study that Mr. Regnier did was accurate, there should be very little more office space, a little bit of retail, and a lot more housing. That's the one thing everybody seems to talk to us about; all the people that want to stay in Leawood but can't figure out how to sell their house and buy something that cost them less and stay. If we are able to, over a period of time, create that option, would be a huge advantage for the city.

Mr. Klein: And then the rooftops would support the commercial.

Comm. McGurren: Exactly. And ironically, still be adjacent with housing right around them.

Comm. Block: I'm having trouble understanding this topography map that's up here. So, if I start at the Price Chopper and go to the east of it, the 2-foot in green on 133rd, it's higher by 2 feet there?

Mr. Klein: Correct. Basically, when you have the green numbers and arrows, that means that either 133rd Street or 137th Street is higher than what 135th Street is. So, in those instances, along 135th Street is lower, so there might be more opportunities to build more but still not be able to see it because you're going downhill. The red arrows are indicating that 135th Street is higher elevation than what either 137th or 133rd Streets are. In those instances, you could build along 135th Street, but it will be up higher, and if you go taller, it will be even more so.

Comm. Block: It's just interesting, especially in this Cameron's Court area, because that's not how it was explained to us through that process. Supposedly, everything was lower; 135th Street was lower. That's how it was explained to us.

Mr. Klein: That's what we were expecting too. If you look at the topos, the green shades are lower down. If you look at that drainage area that runs through where the church was, you can see the creek that runs through because of the lower elevation. The warmer colors, the yellows are higher than the greens, the oranges are higher than the yellows, and so that is what is showing. We thought the same thing when we went through; that's what we were expecting. We wanted to try and confirm that that was actually the case. From the information that we have from the topos from the county, this is what we are finding.

Comm. Block: So, I guess to the that point, since most of these are red, meaning everything goes up toward 135th, both south and north of the street, that the 110 feet or whatever you said, it probably is way too high right? That's why it needs to come down? Because you're not going to get that site. You'd really see it if you put that on top of the other 10 or 20 feet that's already there.

Mr. Klein: It would go up quite a bit higher. I know at the Governing Body they talked about as far as having a maximum height, it shouldn't be 115 feet in height, maybe it should be closer to four stories. If you look in the older sections of Paris, most of it is 4 stories, and it's dense but attractive and much lower scale. Different cities have done it differently.

Comm. Block: There's a +18 from 133rd to 135th street. That's telling me that 135th Street is 18 feet higher than 133rd Street?

Mr. Klein: If you look at that, down in the green, that site does slope way down. Along 135th Street is definitely more prominent. Originally when they came in, they wanted to level the whole site. We asked them to work with the topography to create something more interesting. They developed some pad sites, which stepped down to a main center that was supporting it on the back side just in front of where the creek lies. It was facing to the north.

Comm. Block: Off of Kenneth Road, I recall a big bunker on the south side of 135th Street. Is that an electrical facility, or a part of the water system?

Mr. Klein: I used to know what that was. I want to say its water, but it's a major utility located in there.

Comm. Stevens: There might have been interest from City Council to do a maximum height throughout. It seems like you have to be careful about that. I was glad to hear about your discussion about how certain property areas would remain as mixed-use zoning and follow the transect rules. To reduce the density can make a successful mixed-use development on these properties much harder because you need the density and you might need the height to create a successful vibrant, mixed-use development that's got open space, the street-scape you're after, and the density to be able to afford that number of housing units per acre to offset the cost of creating this vibrant, mixed-use area. It does seem hard that we would want to control the height in a blanket way. Some of that is based on making a successful development.

Mr. Klein: I think you can get the density. Cameron's Court, for instance, came out to be 8 dwelling units per acre. If you think of the 135th Street Community Plan, one of the things it talked about was the grid system as far as these different street types, as far as destination, active pedestrian, and residential. If you take a look at it, the commercial action is going to become the nodal development, which was thought about as far as in the 135th Street Community Plan. Even in that plan, as you looked at it and saw that grid network as it went across, and you had the red cross-sections which were the destination streets, and then it went into an active pedestrian street. Then you had quite a few neighborhood streets. I think that this is going to make the neighborhood streets the places that we're looking at as far as for the residential mixed-use types that are located there. They are becoming the neighborhood streets and as you fade into the more mixed-use that's located at the major nodes that becomes active pedestrian and destination streets.

Chairman Elkins: One of the things I like about this approach is that I continue to have a lot of concern about single-family residential along 135th Street. By taking these kinds of height regulations, we're articulating a desire to have taller building along 135th and 133rd Streets, and that has a tendency to make it more difficult to build single-family residential along 135th Street. I personally see that as a positive. I know we recently approved a proposal for a plan that calls for single-family residential on 135th Street and I hope it works, but I have a lot of concerns.

Mr. Klein: This is what we are looking at initially on 133rd and 137th Streets. On the right side of 133rd Street you have an existing single-family house, you take that straight line shot going across going toward 135th Street, and then you keep those building going across being the same height. If they had the elevation change, you'd be able to pick up some more. Now it's looking like it might not work that way, at least not evenly. There might be certain spots that might be able to be done but this is where we are talking about the setbacks. With that single-family house, you have a certain setback that allows you to go no taller than two stories. That two-story house that exists on 133rd Street, you would have

another two-story house that would block your view. Now, even if the land was going level and went to three, four, or five stories, you have it gradually going up. So, you're not seeing one big stark building. You'll see single-family homes and duplexes, and it will gradually increase to two, three, and four stories along 135th Street. We're here for feedback and want to take your thoughts into consideration.

Chairman Elkins: So, what this would mean is that the two existing towers in Parkway 600 would be legal, nonconforming uses?

Mr. Klein: There you have a development that's already been approved to have the three-story that's located there. You could either be two-story from now on and it's legal, nonconforming, or you could allow the development, once it's started, the way they originally were.

Chairman Elkins: The plan that's approved for the neck to the west is three or maybe four stories? It's at least three.

Mr. Klein: They have the Demdaco building that's three stories, and that empty parcel that's located just to the west of that was only supposed to be a two-story building.

Chairman Elkins: Taking that approach would make those towers stand out.

Mr. Klein: Right.

Comm. Block: So, what happens with the one on the screen when you go to the next level? I liked where the two-story was okay on this left side of 133rd Street because that's all you see. You're not going to see what's behind it because now you're going to see potentially all of those buildings versus just one of them right in front of you, which is why I preferred the original thought in the Community Plan.

Mr. Klein: As far as allowing the greater height? And you could do as far as a line, right? For every foot you get additional height, and so rather than being this two-story, then you get to go to three-story, where it steps. You could actually do this: for every additional 10 feet in setback, you get an additional foot in height. It's more of a gradual change. You could have taller buildings sooner.

Comm. Block: How tall could a building be on 135th Street? Would it limit it below the 90?

Mr. Klein: I think from the direction of the Governing Body, we were thinking that it would be closer to 50-60 feet in height, as opposed to the 90. Just because there seems to be concerns with regard to going that tall. However, it was also mentioned that we already have the residence in Parkway Plaza that is five-story right now.

Comm. Block: Under that scenario, with this, would you see the buildings from the north side of 133rd Street?

Mr. Klein: You would probably see the rooftops. The one thing you have to keep in mind is that this is idealized. In reality, when these developments come through, they're proposing some tall buildings and some low buildings. I don't think that you're going to walk out and see a gradation of a mountain that's going up. I think there will be a lot more variability within that.

Comm. Block: I guess I just saw the original plan. You're going to see the two or three-story building across the street and that's all you're going to see. You're never going to see anything beyond that, was how I envisioned the first plan working.

Mr. Klein: Currently, the 135th Community Plan, for the first one, they had between 24 and 42 feet in height. I know when design workshop consultant was talking with us, they had mentioned the possibility of having three-story buildings directly across as well, and possibly having some kind of commercial located on the corners. This would be pushing it more to the two-story right across from the existing residential as opposed to having a three-story, but maybe that's something the Planning Commission and the Governing Body would like to talk about.

Chairman Elkins: I guess you can address it to a certain extent with trees. My guess is that folks that live right across 133rd from the Demdaco building don't see the building. Those are old trees, but I don't think they appreciate that.

Mr. Klein: You're right. The one thing that Leawood has done an outstanding job of is the landscaping. It buffers, softens, and creates a rich texture of the environment as you travel through it. You are going to have trees going along 133rd on the north side and the south side. There's a lot of landscaping requirements for buildings. To your point, they're huge at the beginning, but once they mature, it softens.

Comm. Block: If you say the max on 135th Street is 50 feet, what would that look like?

Mr. Klein: We'll try to come up with a model or a 3D representation.

Comm. Hunter: I think that would be great. I'm really surprised by the topography. That's a lot larger height difference than I expected out there. I think that would be really helpful.

Chairman Elkins: It seems like it's a more dramatic difference from the west.

Mr. Klein: We made those arrows, and they're broad sweeping. That height difference is going from 133rd to 135th Streets. In some areas, it might be level or go down a bit, but then all of a sudden it goes up right at the end of 135th Street. It is difficult to give you that kind of perspective. There are some big variations that go there. You can see some of the topo lines where you follow and it looks like they're going east-west, but then all of a sudden, they bend around and are going north-south as you approach 135th Street for instance. I don't want to give the impression that it's just a slope up or down. These are generalizations.

Comm. Stevens: If I recall, Regent's Park is going forward with the housing tower that's on the parking structure that's got to be at least six or eight stories.

Mr. Klein: It was a five-story building. It was called 135 and it was located just along 135th Street. It was a mixed-use development and had 3 building located there with retail and office on the first floor and apartments above. A little further to the south of that you have 137th Street that's swept up a little further to the north than originally, and that's where Regent's Park was going to go with the duplexes and a few triplexes. Then they were going to come in for a little piece that was on the north side of 137th that would butt up against the 135 that they were talking about possibly doing two, three, or four-story townhomes. But they never came back with that.

Comm. Stevens: I was thinking there were two stories where the retail was at the base, and then there were four stories of housing above that? But you thought it was five?

Mr. Klein: I think it was five stories. I'll go back and check. It had 193 units approved. If you look across the street, you had High Drive that bisected the west side of 135, which is the part you were talking about, that had the residential above. Over on the east side of High Drive, you had a number of one and two-story commercial buildings. We talked about this with Cameron's Court. It was weighted heavily with commercial over on the airport property and residential on the west side. This one was weighted heavily on residential on the west side of High Drive with the commercial being over on the east side.

Comm. Stevens: It seems like limiting the height with a creative developer and design, or a very special neighborhood, the 52 feet would mean a four-story max. The way to help these developments is maybe with the overlay district, where you could approve an iconic structure where Leawood thought it made sense at one of these intersections or something that is taller and has a good reason for being there. The density creates a large open green space or park or other reasons for allowing the height.

Mr. Klein: I think the special-use permit would allow that flexibility to allow them to take a look at that if that made sense and really fit.

Chairman Elkins: In some of the new redevelopment and other communities in our area, they've built high and they're right on the road. You have a feeling of driving down the urban canyon that we were concerned about way back when we were talking about 119 being a combination of retail. It seems to me that those were attractive buildings, but the problem is that they were built right on the street. I think it's important for us to be looking at setbacks, not only from 143rd, but also from 135th. Our current LDO may address that adequately so you don't have that feeling of driving through a canyon.

Mr. Klein: I see your point. Right now, it's 40 feet, but if you came in with an apartment building and it was tall, the whole thing would feel like that. This is trying to show you what the current regulation would allow. You have the two-story homes that are located on the north side of 133rd Street, you have 133rd Street, and then the 75-foot residential setback.

In this case, it's being taken where the zoning changes, and it changed in the center line of the street over to the building, and then it would be allowed to go up to 90 feet in height.

Chairman Elkins: That just seems really tall. Are any of the buildings that are currently planned for Cameron's Court 90 feet?

Mr. Klein: No. The vast majority of Cameron's Court is not that tall. You have the four-story apartments that were located there, and I think there were 6 of those. Everything else was two stories, except on the airport property.

Mr. Sanchez: On the commercial side, the tallest building was 55 feet. It was a four-story office building that they were going to propose.

Chairman Elkins: It just seems a little scary to me.

Mr. Klein: This is trying to illustrate what we were talking about as far as if you did it gradually with your setbacks. This is more of a stepped approach as opposed to, for instance, for office, every additional 10 feet of setback from the 40 base they give you, they get an extra foot in height. You could have something like that as well. Then you have a portion of the building set back and come up a little bit higher and the building itself would step, like New York did to bring light and air down to the street. Then we wanted to talk about the height implementation. If there's bonusing opportunities, maybe that's another way to take a look as far as adding height. If they provide certain things, then they would be allowed to do that. The city would still be able to deny it. The special-use permit or a straight cut would both help reduce the maximum height.

Comm. Block: Remind me, how tall is The Church of the Resurrection?

Mr. Klein: I want to say that it got up to at least 70-90 feet. That's an iconic building.

Comm. Block: I was just looking for some perspective as to what 90 feet looked like.

Mr. Klein: The Aloft Hotel is about 90 feet. The developer at Cameron's Court pointed out that you have Edgewood that's located over here, and you have these multi-story apartment complexes that are located across the street, you have the AMC building that's located there, and then just a little further to the south, you have as far as the Aloft and some of the office buildings that are actually much closer than some of the things that we're talking about right now. It's not like it can't be done. It seems like Park Place has worked pretty well with Edgewood and I haven't heard a lot of disparaging comments about how Edgewood turned out.

Chairman Elkins: And again, you have a lot of really good landscaping on both sides.

Mr. Klein: You absolutely do. And they were going to put that park adjacent to them so it wasn't just a row of buildings. When we did that, we tried to get the buildings turned the

other way. Originally, they were looking at going along the street, but the shadow study showed that their shadows would make that street a total shadow for a while.

Comm. Block: And the AMC corporate building is roughly how tall?

Mr. Klein: I don't think it's quite 90 feet. Let me get that for the next meeting. It does help to compare it.

Comm. Block: It doesn't seem like a lot of paper. If it were on 135th Street instead of 133rd, I guess I'm just not seeing the big issue with going to 90-ish feet.

Chairman Elkins: You might also look at the height of the parking garage.

Mr. Klein: Okay, yeah. That's a good idea. We also wanted to talk to you about the same thing with regard to density. Right now, they have transects, which we're trying to emulate within the LDO. So, we're thinking that you would have a lower density going directly adjacent to the existing single-family, so it adds more of a transition. I think it's a lot more acceptable when you have like versus like and then it changes after that. In this case, this is Cameron's Court and for the first part, they had 2.74 dwelling units per acre, which isn't too bad. It's actually not much denser than you'd have in RP-1 or something like that. This is where we talked about one line of buildings versus two lines of buildings so that's something I'm not sure if the Planning Commission has some thoughts on with regard to how wide that transition should be. Then we have that middle section and here, there are about 7.36 dwelling units per acre. They had the one that was up along 135th Street, which is 8.35 dwelling units per acre. The plan itself actually would have allowed a whole lot more than that. Both the LDO and the 135th Street Community Plan would have allowed more of that. It's just another example where you may be planning for these maximum ratios, but in reality, you're going to be getting to be getting less with some things that are bumping up against the maximum areas.

Chairman Elkins: The thing of concern here is that there was a perception by the community that even this density was too dense for what the community, especially the developments to the north, thought was appropriate. Under the LDO the maximum density for mixed-use was 15 dwelling units and they were, even at the most, barely over half of that. That still raised a lot of concern from a lot of neighbors.

Mr. Klein: An important part of it is that we take the density over the overall. In this case, they actually broke out the density for transects which gives it a more accurate picture, as far as what the density was. For instance, that blue area does bleed a bit over into the airport property. RP-1 is 2.76 or something like that, I'd have to check. It's in that general ballpark. This is where the 135th Community Development Plan would have allowed 4-12, and if you turn a few pages in the 135th Street Design Guidelines, it recommended 12 for that first T4, which would have been up against the existing single family. The next one had 6-24 dwelling units per acre in that middle section, and for the last one, 12-96 dwelling units per acre, which is well above the 15. Again, they didn't come remotely close. The LDO was cut off at 15 anyway, so they couldn't have gotten that if they wanted to. As far as density

implementation, we want to phase the density as you travel away from 133rd and 137th Streets, similar to what we were talking about, maybe offering some opportunities for flexibility or bonusing, if the density really made sense in certain areas. You might be in that middle section, a little closer to where you have mixed-use developments and maybe it makes sense to have more density located over by that area to support that commercial development. We were taking a look, as far as what could go in that middle section, not directly along 137th or 133rd Streets, and there's something called "missing middle housing". This is the intent to create something that doesn't have a footprint much larger than a single-family house but it has a lot more density. This graphic shows you that over on the left, you start with duplexes, and you have lib-work units that are over to the opposite side. You also have apartment buildings and that kind of thing. This might be some opportunity to increase density but not increase the impact the visual impact. Some of these can get up fairly high in density. I know this is a long meeting tonight, so if the planning commission would want us to stop now and continue again, we plan on coming back to you as well.

Comm. McGurren: When you go through the logic of this, do you have a certain percentage that should be bought versus rented?

Mr. Klein: That's a tricky thing with the ownership component of it. It was discussed a bit at the Governing Body works session as well. You could have a stipulation requiring them to make it ownership, which might be one way to do it. The problem that you run into is that, for example, Park Place and Mission Farms were supposed to be ownership condominiums, and the market wasn't supporting it; they were just sitting there. Eventually, they decided to change them where they could actually be rented. When you start going down that road, you're running the risk of going against the market, and is it better to have something being utilized and rented or just sitting there empty because you can't rent it and there's nobody interested in buying it?

Comm. McGurren: You've got a fair point. I can't claim to understand the dynamics of whether people want to rent or own over a long period of time. But, do we as a city have a lot of people, especially south, who, 20 years ago, had small children, built all these houses, stayed in them, and now their children are grown, they're still in those houses, and they would now welcome the opportunity to go to an ownership and a smaller cost than what they had before and still get to stay in Leawood? I think there's a tremendous amount of people who are in that boat. What they don't want to do is sell, get less space, and pay more. That's almost everybody you talk to that does that. I wonder if the dynamics are different today than they were when Mission Farms or Park Place opened. You would understand that better than I would.

Mr. Klein: One of the ways that we were thinking that would be attacked would be if you provide different housing types and different price points, maybe there would be more opportunity. It seems like most of the ones that I've seen come through, if they are single-family, it seems like it's the developers saying it's up for sale. Cameron's Court did that and we also had Aventino that just got approved, selling the single-family as well. Some duplexes are for sale, but over at Milano, those duplexes are for rent, so it's split on that. It

definitely seems like when you get into the apartments, most of those seem like they're for rent. Maybe having these different types might encourage some ownership. That being said, with the garden single-family, there is a trend that the Chamber of Commerce has brought to our attention, is single-family rental. Essentially, it's almost like an apartment complex, but you have single-family homes that are for rent. That seems to be where some of the market is going as well.

Chairman Elkins: There seems to be an implicit premise that the for-rent units are not going to be as well maintained as the ownership units. It was never outright said, but there was an impression, both from the Governing Body and the community, that somehow having rental units was a negative and the implication was because they were not as well maintained. I'm not convinced that premise is accurate.

Comm. Coleman: To go on that, I've owned a condo, I've owned a duplex, I've owned 2 single-family homes. I can tell you, from my personal experience, people that rent, as opposed to own, don't take care of it as much. There's no skin in the game for them. They may lose their security deposit, but they can leave.

Chairman Elkins: Doesn't that fall on the owner then? The owner has the obligation and in order to continue to release it, the owner is going to take care of it. I agree with you that the renter doesn't have skin in the game, but the owner that is renting it out does.

Comm. Coleman: The owner is just going to come in and redo everything once the renter leaves. At least that's my experience. I know from reading the minutes from the Governing Body, there is definitely more of a push for ownership-type housing. With that, jumping on Comm. McGurran's comments, time and time again, we hear the same thing. We hear about how people want to stay in Leawood. Now, I don't think it's realistic that you're going to get something brand new in Leawood that's going to be affordable. You're not going to go from your 3-4,000 square foot home and find something comparable that's brand new and smaller. That's just market forces at work. I don't think you should expect that. I think the idea for the big intersections is great; to have the mixed-use continued in those areas. In between the stock, I think we need to get ownership of housing and look at different variables of that, such as the brownstones, patio homes, etc. I think there's a need for someone who still wants to own their own home without any adjacent walls with neighbors. They just want less. They want a smaller yard and house, but they want to own it and they don't want anyone next to them at least with a wall connecting them. That would bode well in these areas we're talking about; people in Leawood that want ownership but don't want that half-acre yard or 5 bedrooms.

Comm. Block: It's a difficult issue. I understand the need for affordability, but I think when you have high standards, that makes it difficult. Density is the other issue. If you make it denser, then you're going to have a lot more people per acre, and that was a big concern of all those neighbors to the north. Maybe it was an apartment issue, but what I kept hearing was concerns about the schools and whatnot. It's difficult to have a quality project with our requirements, making it small and affordable.

Chairman Elkins: That's the question I have too. In Leawood, how do you define affordable housing? It's certainly not Section 8 housing, but on the other hand, our Comprehensive Plan is going to report that the average cost of a home in Leawood is \$600,000. That's with a fairly good influx of the smaller patio homes, especially south of 135th Street. I wouldn't necessarily call that affordable housing.

Mr. Klein: I think you're right. I don't think we're going to get affordable housing, according to the definition. The mayor indicated that one definition is \$180-\$200,000. Obviously, we can get that here because people buy those and tear them down and build a bigger house. It may be possible to get something in the \$500,000 range as opposed to the \$1 million range. Different things have different impacts on the cost of housing with regard to unit size. That changes how much you're going to pay for it. It's difficult with materials and everything, because you can lower the cost, but if the developer is able to get a certain price, he's just going to take the profit and get that price.

Comm. Coleman: To talk about that, we're not Overland Park or Kansas City, Missouri. We don't have areas that need gentrification right now. Maybe in the future, in the north part of Leawood, it would get run down, but I doubt it. Someone is going to buy the houses and tear them down to put up a nice, two-story. I don't see that happening. Leawood is Leawood. You cannot change the way the city is and the way that people want to move here. We are a destination city and we should continue to be a destination city. By doing that, you have to have quality housing and a desire of something that is above the norm. We shouldn't try to be something we aren't. We are what we are. You buy something in this city and expect a level of quality, not only in the housing, but in the area. The parks, the livability, the landscaping. Our strength is building quality housing that is appropriate for the people that want to live here.

Mr. Klein: It's a hard thing to hit. You're right, Leawood does get that higher-quality housing, but we've always heard from the Planning Commission and the Governing Body for the people that have lived in Leawood their whole life, they just want to downsize. They still want the Leawood environment, but maybe something should be available for them. It wouldn't be low price or anything, but maybe a different form. It is tough because you also have the developers trying to maximize this property as well. We have no control over that.

Comm. Coleman: When we have developers coming in and saying they're going to put villas in, we ask them what their starting point is. It has nothing to do with the development, but we're curious. New housing is hard to find around here, so people will pay.

Comm. McGurren: There are probably a lot of people who would be thrilled to be able to sell their \$600-\$700,000 house and put all that money into the next place that's different from what they just sold because it's that "next step house." It has all the amenities you want, everything on the first floor you want, the cool view, or whatever. If it didn't cost more, I think there would be tons of people who would be interested in that. They just don't want to put \$200-\$300,000 more in and get a lot less. They're willing to do less and pay the same amount, or they would be thrilled to pay a little less. I don't think we're talking

about going from a \$600-\$700,000 house to a \$400,000 house, I think there's plenty of room in there where that could work for a lot of current residents.

Comm. Block: A plan like that could work. The demand is out there, we just have to find developers that want to do something like that.

Mr. Klein: You have to make it something where they can do it.

Chairman Elkins: The developers that have come in recently haven't given the impression that they're going to offer anything below \$400,000. The market tends to drive it up even though we, as consumers, would like to have a lower price point.

Comm. Coleman: I don't think we can get into the prices. It's completely out of our hands. If we concentrate on stock of the homes available and what we can create, I think we're doing a good job.

Comm. Stevens: What you're proposing here is new developments, requiring a number of housing types. I think we should be encouraging the diverse housing opportunities and maybe that would help folks with their current lifestyle or single-housing accommodations. Maybe it's not necessarily still affordable, but it seems important to allow this requirement or incentive to provide more diverse housing types within the development. I like what you're proposing here.

Comm. Block: The for-rent options seem like a great fit for these folks. It doesn't have to be just apartments, it might be townhomes or fourplexes, but you can stay in Leawood and be in a high-quality project. Cameron's Court will hopefully prove that. You'll still have folks who don't want renters and the density, but you've got to give somewhere. Like you said, Chairman Elkins, we haven't seen anything less than \$600-700,000, even in the duplexes. I don't know if that will exist in Leawood; folks just have to be open to the renters as an option.

Chairman Elkins: Thank you, this has been a great presentation. The aids that came with it were very helpful. Hopefully we've given you some things to think about for the next time we talk.

Mr. Klein: We'll take a look at some of that and try and continue what we have now, but will bring back some differences to try and address what you indicated.

Chairman Elkins: We will adjourn. Thank you to everyone for a great discussion.