

City of Leawood
Planning Commission Work Session Agenda
September 13, 2022
2022 Update to the City of Leawood Comprehensive Plan
Creation of a new zoning district for residential that requires a mix of housing types
City Council Chamber
4800 Town Center Drive, Leawood, KS 66211
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CALL TO ORDER/ROLL CALL: McGurren, Coleman, Block, Stevens, Hunter, Belzer, Hoyt, Peterson, Elkins

Mr. Klein: We'd like to review the Comprehensive Plan in its current draft state. We'd also like to revisit a proposed zoning district for mixed housing types. Governing Body directed staff to evaluate it. Planning Commission gave great feedback at the last work session, which was different than the direction we were heading. You'll still probably see things tonight you will not like. We have also had people express interest in doing development here. Ricky looked up those companies and found examples of what they have done in the past. We had concerns in some of those instances.

2022 Update to the City of Leawood Comprehensive Plan

Mr. Klein: I'd like to go over the Comprehensive Plan. The first slide is a map of changes, including Hills of Leawood, which is on the right side of the exhibits in 2019 and 2021 and will be added to 2022. Hills of Leawood Villas received final approval but has not been constructed yet. This plan proposes to add that to the Comprehensive Plan, showing them as future streets. There is a chance the network would change, but we can change that later.

Comm. Block: Is there still a lawsuit pending on that?

Mr. Klein: There is. I know the applicant has been trying to work through some of those issues. At this point, we are not exactly sure if it will continue or not.

Ms. Knight: It is still pending in the Court of Appeals. It's set on the Summary Calendar for the end of the month, so we should be getting an opinion on that before November. Then, whoever loses would decide if they want to appeal to Supreme, or it would be final.

Mr. Klein: Aventino came through the Planning Commission and was approved by the Governing Body for a single-family residential development located where Villaggio used to be. It had a bank at the northwest corner and an office building on the north side of 137th Street. Both of those buildings are proposed to remain, but the overall site changed from Mixed Use (MX-D) to Residential. This will cause a change in the Comprehensive Plan to match.

The State Line MX-D development is now called Leawood Village. It had 209 dwelling units, including townhomes of six units apiece on the north side of the main

building and another six units on the west side. The map shows where the green space is going and the residential part as well.

Inaudible Speaker: *Inaudible comments.*

Mr. Klein: It had a mini dog park as part of it. Villas of Leawood used to be Estates at Old Leawood, and they had a pedestrian bridge that connected to the east and to the office building on the east side of the creek, the 2020 Building. The city got an easement along the western boundary, and it curved up and connected with the property. The intent was we would have the ability to cross the pedestrian bridge, get to State Line, and be part of the trail network. Unfortunately, there's a really steep ridge that made it more difficult. This realigned it. The map on 2019 shows the green as it extends up to the north, and it goes all the way to the northern property line. Then it turns and goes east. On the revision, the green space makes the turn to the east along the southern boundary. Part of that was to protect the tree canopy and also to overcome the grades.

Inaudible Speaker: *Inaudible comments*

Mr. Klein: They had it on their plan to have the trail come up along the area. The next change has to do with Village of Seville, which is located at the northwest corner of 133rd Street and State Line Road. There is a new Apostolic church that moved in the multitenant building on the north side of 133rd Street. Most of the main center runs north-south; however, there is a small multitenant building that runs east-west, adjacent to 133rd Street.

The next change shows the street network with a change on High Drive. In 2021, it extends from 133rd Street. It goes down, east, down, and then connects to 135th Street. That was the public street that was part of that development, so it is being included with this change to show High Drive as it connects into 133rd Street. Originally, it was supposed to align with High Drive that goes into Wilshire Place to the north. The map with the grey street network shows that. There were concerns, especially by the neighbors, that cut-through traffic would go through their neighborhood, so the developer moved that connection farther west.

Inaudible Speaker: *Inaudible comments.*

Mr. Klein: That was part of the final approval as well. That is the part that we're talking about with the Comprehensive Plan and what we wanted to go over with the Planning Commission with regard to the changes to the map.

The next part has more to do with the new residential zoning district that would have a mix of different residential types. The slide shows areas that we feel would be a good place for the mixed residential. The mixed use, with the retail, does better at major intersections. We have the major intersections of 135th Street and Mission. On those four corners, we think it's very appropriate as it is currently designated for mixed use. The commercial struggles as it moves away from the major intersections. Land shown in blue is not directly on a major intersection. We thought it would be appropriate for this type of mixed residential. It would add housetops that could support the mixed use or commercial development.

Comm. McGurren: Does the city plan to notify developers or the construction community about the zoning change in these areas?

Mr. Klein: We have talked with some developers who have come in, indicating that Governing Body has directed staff to take a look at this. It is something we certainly can do with the major ones. Occasionally we get in developers we've never seen before, so it would be difficult to do that. We could send notice to Polsinelli, who's involved in a lot of the projects here, as well as the developers we see more frequently.

Chairman Elkins: We have not approved the new zoning district yet, correct?

Mr. Klein: Correct.

Chairman Elkins: How big a piece of ground is the triangle on the far east?

Mr. Klein: It is actually extremely small. It's probably less than three acres. There was a development approved there for an office called The Lucas Building. It was mentioned that it looked like a stealth bomber. That plan has expired at this point. It would not be a huge site, but we have the twin villas and triplexes shown with Regents Park directly to the west. Up to the north is a white outline that is the One Thirty-Five MX-D development. Since this piece of property is directly adjacent to the residential of Regents Park, we felt it would be appropriate to add on to that.

Chairman Elkins: I've mentioned this before, but especially when we're talking about this new mixed residential zoning district, I'd really be interested in hearing from the developers when this comes before the Planning Commission formally. I'd love to invite the folks from Polsinelli and some others. I'd be happy to write or sign a letter from the Planning Commission, inviting them to come speak. This seems like an ideal situation. So often, the city is criticized for having zoning regulations that are perceived to be anti-development. I'm anxious to find opportunities for the development community to have input early on. This seems ideal since we're developing this idea of a new zoning district. Before we bring this up, I'd encourage staff to identify those within the residential development community to come give us their thoughts about this approach and what's really meant by mixed residential. What is staff's thought about what that means now?

Mr. Klein: What we're looking for is something that is more than just a subdivision of single-family houses or twin villas. We would actually like to see several different zoning types. It would then appeal to different homeowners looking for different things. We wanted it in a way that is unified and interconnected. At one point, we had a zoning district called RP-4 (Planned Cluster Residential). It allowed single family and attached to be located in the same subdivision. We have a number of subdivisions around in that zoning district. It could have a duplex or triplex next to a single family. This gets back a bit to that but trying to have more focus on the relationship and integration between the different types. A lot of times, it was more or less a typical subdivision; it just happened to have attached units adjacent to single-family units.

Chairman Elkins: How do we anticipate this being different from what you described?

Mr. Klein: What we'd like to see with this one is more housing types. You've seen a number of them in Cameron's Court and East Village. There were single family, brownstones, twin villas, mansion-style apartments, and four-story apartments with a contemporary look. There was also the assisted living and live-work units. It had a variety of different types of residential uses. We thought that did a pretty good job of addressing that; however, there might be more opportunities to have larger green areas that could serve as a gathering place for the subdivision, maybe some integration with sidewalks to connect to that green space. With Cameron's Court, there was quite a bit of discussion about a larger area of green space that could be used by the community, not only by the subdivision putting it in but also adjacent subdivisions. Cameron's Court actually did enlarge the green space by Chadwick Place. They also closed the entrance onto 133rd Street to create more of a pedestrian way to those areas.

Chairman Elkins: What I'm going to say sounds controversial, and I don't mean it to do so. It sounds like we are trying to formalize what we did with Cameron's Court. We had a lot of discussion about horizontal mixed use and whatnot. This would essentially be what the western part of what's now called Leawood East Village in a formal zoning district.

Mr. Klein: The 135th Street Community Plan had several street types. The destination street had most of the commercial with residential integrated vertically. The active pedestrian street would also have a little bit of commercial development but primarily would convert to residential. Then, neighborhood streets were primarily residential that fed into the active pedestrian. This is keeping the mixed-use development at the major intersections. These are becoming the neighborhood streets that feed into that. Granted, there are major streets that intersect with it, but the idea is that this will help support the commercial and the mixed use.

Comm. Block: So, in these areas, there would not be any commercial?

Mr. Klein: Correct.

Comm. Block: I know there were a couple comments about developers, but what about the landowners and their opinions in this process? I don't know if it makes their land more attractive. Are we picking winners and losers in this setup? How flexible is it? Should the property owners be brought into the conversation?

Mr. Klein: The property owners should be brought into the conversation. The largest area outlined in blue was proposed to be commercial development in 2006 or 2007. The small rectangles along 135th Street were supposed to be retail. The larger rectangles going north-south were supposed to be office. The two rectangles on the north side were supposed to be office. Then, it was supposed to have a main center. That development never came to fruition because development basically stopped in 2008. The plan has expired, but we

would want to make those property owners aware of this as well once it is a bit more solidified. If we bring them in too early, things could change and become confusing.

Comm. Block: How does the 135th Street Community Plan factor in? Do we need to look at that again? Aventino was outside of the original plan. This is outside as well with having that much retail with no commercial. Would this create a need to revisit that plan?

Mr. Klein: I think it will still use that plan to a certain extent. The 135th Street Community Plan was a vision for the 135th Street Corridor. Some of the projects that got approved, including Regents Park and One Thirty-Five didn't meet everything within that plan. In addition, there were certain things that Cameron's Court didn't meet as well. This would still keep it as a guide, but the intent of the 135th Street Community Plan was to go from this vision and take it into the Leawood Development Ordinance (LDO). When it's a vision, the developers will say that they don't have to do it; if it's in the LDO, they have to follow it. We are trying to take components out of the 135th Street Community Plan with transects of like developments directly across from existing single family, and then it transitions as it moves away and toward 135th Street with taller, denser buildings. There is nothing in the LDO now that does that. This proposal does that and also gets at the different types of units. We kept hearing from developers that commercial is not going to survive at these intersections; they need to be at a major intersection. We've heard that many times. We're trying to respond to that and create neighborhoods to support those but also neighborhoods that would blend in with the existing neighborhoods.

Comm. Block: Is there any contemplation of rent versus own? I know that was the rub with Cameron's Court and East Village.

Mr. Klein: That is something the Planning Commission and Governing Body wanted to see more of a mixture of. I know Cameron's Court took a lot of criticism for that, but they had the single-family homes for sale, the twin villas for sale along the south side of 133rd Street, the brownstones, and the live-work buildings all for sale. To be perfectly honest, most of the people coming to the Planning Department now don't want to do ownership. We keep telling them that is the direction the Planning Commission and Governing Body want to see. That is something we need to talk more about as far as how to accomplish that. Currently, most of the developments want an apartment complex or single-family rental, which is basically single-family homes in what looks like an apartment complex. We've gotten a lot more interest expressed in those than the other. We keep telling them we want a mixture.

Comm. Block: This would be a mixture?

Mr. Klein: That is our intent. We have to work on it to determine how to accomplish that. I know you can require individual units to be individually metered. That will allow them to be converted to ownership; however, it's also much more expensive. Without that, then it would be stuck with rental.

Comm. Block: What does it mean to be individually metered? Is that all utilities?

Mr. Klein: Yes, each unit would be responsible for its own bills.

Comm. McGurren: Out of curiosity and as a reminder, the land that is south of 137th and west of Mission Road is probably not highlighted in blue because a plan was approved for that, correct?

Mr. Klein: Correct.

Comm. McGurren: That was a mixed development plan, so that land, in theory, if all this went according to plan, would transition back to residential?

Mr. Klein: Part of the reason it is not highlighted is that it is actually the site of the Majestic Independent Living Facility that came through and received approval. The developer is not going to pursue that development. They would like to see an independent living facility very similar to that on another piece of land within Leawood. For this piece of land, they already submitted a development proposal. It is scheduled for the September 27th meeting. It contains twin villas with two triplexes. We don't have it highlighted because there's an active case on it.

Comm. Coleman: One of the constant things is I know we hear from the developers and what they want. What I hear is what the Leawood residents want. I continuously get people telling me what they want to transition to, which is smaller homes than what they have now. They want to stay in Leawood. They don't want a common wall; they don't want to be in a duplex. They want a small home with a yard. I'm hoping we can incorporate that into a mixed residential for those people who want to stay in Leawood but can't find something they want. They have to go to Overland Park or Kansas City, Missouri. That's what I'm hearing. I don't know if we have a separate designation for small homes. I know we have single-family homes, but do we have a separate zoning for small, single-family homes?

Mr. Klein: Currently, there is no designation for single-family homes. There's nothing that says they can't build a 900- or 1,200-sq.-ft. house. That doesn't happen because the land is very valuable. People want a very nice house located on those lots. We'd like to get direction from the Planning Commission tonight. Currently, we have proposed at least two different housing types. We'd like more than that with maybe density bonuses to get there, or maybe you would just require them. We also want to know if you want to see smaller houses. We've heard that people want more affordable housing, and that is probably the best way to get it. What we showed last time, the Planning Commission had concerns about. We'd like to see what's more in line with what you're thinking.

Comm. Coleman: We're looking at a few things. We have what the developer wants, what the residents want, and they're not necessarily mutually exclusive. Then it's Leawood, so a smaller home will still cost a lot of money because the land is very valuable. It will be tough to get all of this aligned. I don't think smaller will be affordable. The villas went for \$700,000, and a small, single-family home will probably go for more.

Mr. Klein: We're trying to lay the underlying regulations to where it's possible. We know that we hear people's concern about home values when they live adjacent to the proposed development. They want to see something that is very similar to them right across the street. We're proposing more single-family and possibly twin villas across the street and in closer relationship to what has been developed to the north. Then, as it transitions down, maybe some other types of housing would be possible, including the smaller single-family homes. The way we have it written now is we would allow a maximum of four dwelling units, or a four-plex. Before, we were allowing larger, and that is something we wanted to ask you. Would you want to see an apartment building? Currently, RP-4 allows a maximum of 12 units in a building. MX-D has 60-70 units in a building. I'd also like to show an example of smaller residential units that are referred to as shotgun housing. They are much narrower and longer. In addition to that, we've had people with interest in developing something that is more affordable. In these cases, they still want rental, but we are asking that some of it is ownership if possible. (*shows other examples*).

Chairman Elkins: What are we talking about size here?

Mr. Klein: We'd probably need to do some more checking, but these are probably closer to 2,000-2,500 square feet. These are single family. (*shows more examples*). Staff thought it looked like the back of the building with weather protection and canopies. Maybe the way to control some of that, if this isn't something the Planning Commission wants to see, is to have performance criteria, such as a certain number of undulations on the front of the building or certain materials that have to be broken up, or maybe it's a menu of things to choose from to add more detail.

Comm. Coleman: I've been through the Longview one before. It's a nice community. Liberty has one as well that's very similar. They're nice-looking small homes. They scream, "Community" because they have front porches and sidewalks. It's very retro-looking. I think something like that would play very well in Leawood for people who want a home and a yard but don't want a big house. It's something I think we really need to push. I don't know where people are going to go in these apartments. There's got to be a point when they can't be filled anymore. I don't know how that's going to work.

Mr. Klein: It's not just our community; it's nationwide that apartments or housing units are being constructed at this rate. I keep hearing it's because we are so far behind with the supply we have that it's going to take a while to absorb that.

Comm. McGurren: I'd like to give some specifics, piggybacking on the Vice Chairman's comments from earlier. I agree with everything he said, and I would say the 10-12 people I've talked to in the last 3-4 years who live in Leawood want a single-family home that they own. They want a one-story or maybe preferring a reverse story-and-a-half home. They want a small yard, around 2,500 square feet. The alleyways we saw in this development at the golf course creates a whole different environment in the front. I saw one in Texas, and I thought it looked good. I think that would inspire people to stay in Leawood. Maybe they'd sell their 4,000-sq.-ft. house and put the same amount of money

into this one, but it would be new, cool looking, conveniently located, and all these things we talked about. Those would be all the parameters that I would assume people would look at and think is a good option. I don't think that option currently exists anywhere at the moment.

Mr. Klein: Currently, you're right. One of the things you've indicated you like is the smaller lots. These homes are much closer to the sidewalk. Currently, an R-1 lot requires a 35-ft. front yard setback. Even RP-2 and RP-3 require a 30-ft. front yard setback. This would allow these to come much closer to the sidewalk. For this proposal, we want the setback adjacent to the existing subdivisions to be larger because that's what those reflect what's going on across the street. Moving to the interior, the setbacks become smaller. We have 5-ft. where you could literally walk out your porch and be at the street. We're looking for direction on that from the Planning Commission on that as well.

Comm. Belzer: I have to agree with my fellow commissioners on the things I'm hearing from friends and family. We're all in the same demographic where we have sizable family homes. We're empty-nesters now, and we don't know where to go. If we even wanted to sell our house, we wouldn't have anywhere to go. We don't want a rental. I'm talking to people who feel the same thing. Meadowbrook is constantly brought to me as an example of what people want. Even their two-plexes are the same concept where they're closer to the street but have the whole back access, so everything is behind. That's overwhelmingly what I hear as the given example. I know Meadowbrook has multimillion-dollar homes on it as well, but I think people are looking for that community feel, that connectivity to people living in close proximity, the green space, the coffee shops, the walkability. I'm not a fan of the slide with the duplex.

Mr. Klein: That's what we want to hear.

Comm. Belzer: Overwhelmingly, that is the example people give. They want Meadowbrook.

Mr. Klein: We hear that a lot as well. The difference between Meadowbrook and Longview is the size and the cost. These are very nice, and some of them sell for quite a bit. Meadowbrook had the advantage of a floodplain, so they leveraged that and did a fantastic job managing that. We'd like to require more green space. Currently, we have 30% minimum green space for projects. In the current proposal, we're saying that 5% of that 30% needs to be consolidated in a way to have a gathering area as well as pedestrian connections, giving residents the ability to circulate through. We don't have too many situations on the 135th Street Corridor, especially where it's a floodplain and it's not going to be developed. For the most part, there isn't a whole lot.

Comm. Hoyt: I wanted to echo what everyone else is saying, but also especially what Stacy just said about that second slide, which feels extremely out of character with not only what's currently in Leawood but also all the other slides you've been showing. Maybe one way of addressing aesthetics, which is tricky, would be to not only have some specifics but also a statement that all of the housing within a mixed residential development subdivision

need to have some stylistic commonality so that the single-family homes and the four-plexes or duplexes all have a similar. Does that make sense?

Mr. Klein: Yes, and it was part of the question we had as well. Cameron's Court showed mansion-style apartments at the Preliminary Plan, but on the apartment buildings, twin villas, and single-family, they showed much more contemporary. Is Planning Commission fine with that mixture, or should it have an overriding theme?

Comm. Hoyt: The single-family example from Longview and the twin villas don't seem terribly inappropriate in the same subdivision. They're not the same architecture, but there's a similar feel to it. I'd be more inclined to do that than something that would combine mid-century modern and Victorian.

Comm. McGurren: I agree. As long as the types are quite complementary, two housing types would be awesome. I don't know about the acreage we're talking about in any given spot, but if there were 150 of these or something like that and they were the things that everybody has mentioned, it would become disqualified if, all of a sudden, there were 2-3 other things that were quite different and not complementary. I don't think the variety of housing types is what people are talking about. I think, to the point you made earlier, everyone wants their house to fit in nicely within the development they have, and they'd have that same feeling next time, even if they're 2,500 square feet and they owned them and they had alleyways and small yards. There would be enough variety with the architecture, as opposed to four more styles of housing, including what's in Cameron's Court. Anywhere you're going to put these, you're not going to have the kind of land you have at Cameron's Court. It's going to be a much smaller place, so two seems reasonable; 4-5 seems unreasonable to me.

Chairman Elkins: I have concerns about the more modern architecture. Overland Park and other surrounding areas have apartment and condominium developments that are much boxier and much more of what I would think of as modern architecture. Frankly, I just don't think that fits in what we have in Leawood. Lenexa has large swaths of undeveloped ground, so they can transition from the traditional housing on the east side to this more modern style. At this point, we're built and are infilling. I don't know how to govern it. I don't envy you trying to write regulations to capture all that. I'm not sure how we do that legitimately. I continue to have concerns about how we legislate rentals. We've talked both at City Council and here about the need for some housing vehicle that permits our teachers, our civil servants, and others to live in the city they work in. As a practical matter now, that's not the case. To Commissioner Coleman's point, the economics of this are really difficult. I don't know how you build something that one of our schoolteachers at Mission Trail could afford to live in or, frankly, some of the folks who work in this building. I'm confident many of the folks who work in this building live outside Leawood. I'm just not sure how you write a rule that permits us to do that. I know I'm a bit in the minority here, but I'm also concerned about the small setbacks. In the abstract in a single picture you showed from Longwood Park, it's fine. To your point, if you put it across the street from The Woodlands, it is going to look out of kilter. I think we need to be very careful about how we write regulations and ordinances that would contemplate these smaller homes. I

get it, and I appreciate Commissioner Coleman and Commissioner Belzer's perspective that those smaller homes are going to become much more expensive on a per-foot basis than the 3,000-4,000-sq.-ft. homes that current exist. I guess if we want to do that, it's antithetical to the affordable part. I don't mean Section 8 housing; I mean affordable housing that's not \$700,000-\$900,000. I think there are some real challenges here. To the question you just asked about traditional versus modern, I'm concerned, but I don't know how to write a regulation to govern that.

Comm. Coleman: To go back on affordability, when you build new, the economics don't work. The developer is not going to come in and spend a lot of money on land. Even to put a smaller house, he needs a particular rate of return. I've been thinking about this for months as we talk about affordability. The only real affordability is like what you would have in New York City with some kind of rent control. That's the only thing I would see working. You could put parameters around it, such as if you are a Blue Valley schoolteacher living in Leawood, the controlled rent would be this amount or controlled rent if you work for the City of Leawood. Otherwise, the market has to dictate the economics of the situation. A developer is not going to build a brand-new house for \$200,000 or \$300,000; he's going to maximize his investment, which is why we have \$700,000 villas right up against 135th Street. It's tough.

Chairman Elkins: That's why I really question whether there is a market out there for an \$800,000 1,500-sq.-ft. homes. If we're going to have the smaller homes all of our neighbors tell us they want, it would be interesting to find out if they would pay that. In my mind, it's an intractable problem in economics.

Comm. Coleman: Some will. It's like those \$700,000 villas. I'm very curious to see how quickly they sell. If they sell fast, that tells us the market for that type of development. If we approve small, single-family homes that are \$700,000-\$800,000 and they're scooped up, it tells us what the market can bear. We can't tell someone to buy a house for \$300,000 and sell it for over what they bought it for.

Chairman Elkins: I don't know how rent controls work. I've always wondered how they legally work in New York.

Mr. Klein: To be fair, we aren't proposing rent controls.

Chairman Elkins: I know on this one, I'm definitely in the minority. I don't have the same objection to rentals that a lot of folks do. I looked to Mission Farms. They've been there for a while now in the large rental units, and they seemed to stand the test of time. I don't know if Mr. Weltner is spending a bunch of time and money keeping them up, but they seem to have held their aesthetic value. I know, from listening to this group and to City Council, I'm definitely in the minority.

Comm. Peterson: I don't think you're in the minority there at all; I agree with you 100%. I really appreciated Commissioner Belzer's comments, too. Next year, I'm approaching my seventh decade on this planet. I'm a little tired of us having to maintain a 4,000+ square-

foot home. We have an advantage in the Berkshire subdivision. There is a section where ¼ of the units are homes or villas. They're about 2,500 square feet. They have maintenance provided. As soon as they're listed, they sell within 24 hours, and that's been true for several years. There needs to be some kind of alternative. In terms of affordable housing in Leawood, it's almost an oxymoron. It's not going to exist here because the developer is going to look for rate of return, and people are going to be able to pay it. There's a Class A example on 133rd Street going toward State Line. I believe it's called The Enclave at Cedar Point. There were 24 maintenance-provided villas. I think they were 2,200-2,400 square feet. They completed their development a year ago. It took about three years. They were sold very quickly at a very high price. The people who bought into that knew that, immediately directly south, was zoned commercial. I want to stay in Leawood, but there is nothing really available. If it's the same price of a home that I have right now for a smaller space to take care of, I would swap in a minute. I think there is a market for it, and I think there is always a big market for rental. I could never convince my wife of that, but I really liked, for example, the brownstones that were proposed for Cameron's Court. They looked very nice, but I couldn't convince my wife to let me buy a condo there. Those are very attractive. I don't see that we can even think about rent control and the concept of affordable housing in Leawood when there is a pent-up demand. The vast majority of my neighbors are all approaching the period of time where they're going to sell their homes in the next few years, but they don't want to leave Leawood. Where do they go? There's an opportunity here. When you're looking at changing the zoning requirements to allow multiple types of styles, it isn't going to help out the affordability, per se, but it will provide existing residents with a lot of alternatives. The Longview options are very appealing, but they're not here yet. We really need input from the developer.

Mr. Klein: We've been talking to some of the developers with regard to cost, and we're under no illusion. If you recall, Regents Park had the twin villas, and it was indicated they would be \$600,000 per side. The last we talked to somebody, they're closer to \$1.2 million per side. We understand. What we can do is try to lay a foundation to where it's maybe possible. One of the things you can do to entice a developer come in and construct smaller is more density. It can be made up by selling more units. Nobody is saying we're going to have Section 8 housing here or anything like that. Even Governing Body isn't saying it's necessarily affordable; it's more affordable than what we currently have. Obviously, we want something that fits within the community. Is there a chance we give the developer the density and he develops more small units and finds out he can sell them for \$1 million apiece? He's probably going to do it. We're not proposing a regulation that would try to prevent that. You're correct that the market is going to be the market. We're just trying to create an environment where there is more opportunity to do that. Right now, in Leawood, we have R-1 with a minimum of 1,500 square feet for a lot. That's a decent-sized lot. RP-1 is 12,000. R-2 is 6,000. It's still locked into these individual lots, and they lend themselves to be more expensive. The hope is that we can entice the developers to do something. We're finding that the rentals they're talking about aren't affordable. The rents they're talking about is way more than my mortgage, and the rents never seem to go down. We haven't been telling people we want all ownership. We realize there is probably going to be a mixture, especially with the fact that we have so many developers and that's all they're proposing. We would just like to see some opportunities for ownership and more

of a balance. It's hard because right now, I don't think we have any regulations that say ownership is required. That would have to be investigated a bit more as far as what's legal and what's not.

Chairman Elkins: Another thing I would ask staff to look at is finding the sweet spot and how to write a regulation between Liz's valid point about having consistency but not having what I would call a cookie-cutter approach. Over the years, some of the developers of Leawood have been very good at putting a different façade on the front of the house with four houses in a row having the same floor plan. That's the concern I have about Longview. The units you showed are identical, and if there is a whole block of those, it is just an apartment complex with a different façade. I realize they're not apartments, but my point is still made. We don't want a duplex next to a single-family house and another duplex with a post-modern house next to a Tudor. There still needs to be variety.

Comm. Stevens: It seemed like you were asking us thoughts about if it was important to define style or the types. It seems like what's more important is the developments are done in a thoughtful way that create a sense of place, like Commissioner Hoyt mentioned, but not to define set styles for these developments. In other words, it could be thoughtfully done with a contemporary style. It could be contemporary and could have different looks, but it's part of this place the developer is creating for the neighborhood. Successful neighborhoods are built of homes that are different, as you were just saying in the end. I think it would be not good to define requirements for style, other than the requirements for maybe creating interest in the facades like you were saying, setbacks, porches, and approved materials.

Chairman Elkins: When Cameron's Court gets built, we'll have a substantial set of modern architecture.

Comm. Stevens: Even Longview had areas within that. It may be where the row houses were. They were more contemporary. Not all of them looked like these farmhouses. I think it would be difficult, but it's also part of creating a good environment for these new zoning districts.

Chairman Elkins: I think this has been a good discussion, and I don't want to cut it off, but I think it would be helpful for staff to think about what you've heard tonight, synthesize it some, and have another work session. A series of iterative work sessions would be helpful. We have a way to go on this concept.

Mr. Klein: I agree. We need that direction so we don't go down a road too far in the wrong direction. There will be a minimum development size of 10 acres that requires a single developer to create a sense of environment to be successful economically. To a certain extent, you're correct to say that it will be difficult to not allow contemporary. At the same time, they'll develop what they want. I hope we don't get everything looking exactly the same. If Longview is replicated, everything loses its sense of place. If you have Longview in one area, Meadowbrook in another area, and something more contemporary in another area, the development will have a sense of place associated with it. I have a slide up of

what we thought we heard before. We'd like to make sure we're on the right track. We talked about rental versus ownership. We talked about housing styles. We heard talk about single-family homes. I'd like to hear about different housing types and different opportunities. We'd like to know how you feel about twin villas, a triplex, townhome, or four-plex. Do you envision that being part of this? Longview had row homes as well as single-family homes.

Comm. McGurren: I would add small single-family housing at the front of the list in the second bullet point and drop the four-plex.

Mr. Klein: We have townhomes in the State Line MX-D. It probably looked more like row housing. Is that something you'd be all right with?

Comm. Coleman: I don't think multi-housing is a winner, really. I'd like to see different kinds of single-family homes or villas. My emphasis is to try to cater to the people in Leawood now who want to stay in Leawood. I'm not big on the four-plexes or multi-unit housing.

Comm. Belzer: I think there's a good market for duplexes and row homes, but maybe not a four-plex or six.

Comm Hoyt: I agree, and maybe the "twin villa" language is what you want to go for.

Comm. McGurren: Yes, twin villa or single family.

Mr. Klein: Would you want a limit on the number of homes?

Comm. Stevens: I think brownstones would be the same as row homes. Meadowbrook has some really well-done brownstones that are all connected and take up neighborhood streets.

Chairman Elkins: They have common walls.

Comm. Belzer: I think they only have duplexes; they're just big and close together. They have the big apartment building and the single-family estate homes. I think along that south side, there are twin villas.

Mr. Klein: We'll try to get more pictures and more examples. We hear what you're saying. We're also talking about having most of the commercial and mixed use on the major intersections. In a way, that's the whole premise of this. Rather than forcing mixed use on areas where commercial has a difficult time surrounding, it would allow residential development. I heard from Commissioner Belzer as far as walkability to a coffee shop or something similar. Maybe you don't have the same kind of percentages, but would you want to allow a business like that?

Comm. Coleman: I could see a nice restaurant bar. The closest thing I can think of is Red Door Grill. That's in the middle of a shopping center. If you put it on a corner where there's

a lot of pedestrian use, I think it would be a home run because of the walkability. A couple years ago, I was up in Milwaukee. The city is older and more established. They'd have a restaurant bar in the middle on a street and a major corner with housing all around it. That was kind of neat. Normally, you see everything clustered together. Just to see something that attracts the neighborhood as a neighborhood bar would be advantageous.

Comm. Belzer: Red Door is a great example of a neighborhood hangout. To put something like that on a major corner with a whole development is great. If there was a smaller boutique-y coffee shop, it could be tucked in a bit more. Maybe it would be adjacent to a green space. I think that could work potentially, too. I love the idea of a neighborhood bar and grill.

Comm. Coleman: I think of it as more of an anchor to a walkability-style neighborhood that would draw people, and maybe have some smaller shops next door. We're always talking about a sense of community. That would bring a great sense of community.

Mr. Klein: I think Meadowbrook has a small restaurant.

Comm. Belzer: There are two things. There is a coffee shop and a restaurant.

Comm. Stevens: It's partially successful because of the hotel it's part of, but the neighborhood could use it as a wonderful amenity. I don't know if you're thinking of it as a requirement or an opportunity that gives a bonus. I remember Cameron's Court had open green space and some key corner coffee shops and things. You could just imagine that small part of Cameron's Court appeared to be the most thoughtfully done and will be the best part of that neighborhood.

Chairman Elkins: It feels like we're coming back full circle to a kind of mixed use. It may not have the same percentages because what David was talking about was a much lower percentage. I don't know if it's good or bad; it just struck me that it started to sound like that.

Mr. Klein: I think you're right and it would be an opportunity rather than a requirement because we hear time and again that it can't be supported in that area. I think what we're saying is we're not going to force them, but we'll permit it. The hardship is going to be trying to create density of housing or parking if people drive to it. That can make it challenging to make it feel like a neighborhood.

Comm. Belzer: It leaves another option.

Chairman Elkins: Not have strictly enforced zoning districts.

Comm. McGurren: Another way to look at it is considering a large development on 135th and Roe. Ironically, there's a bank there or a real estate office. If somebody had built a small restaurant or small coffee shop there and all these homes got built, there would

probably be a ton of people thrilled to walk up there. They're going to build their home next to a bank. You could build a case that it's already happening in Leawood.

Mr. Klein: It's going to be interesting to see how it plays out because it more or less got built by accident.

Chairman Elkins: This isn't a perfect analog, but when we approved the modernization of Ranch Mart, a lot of what we were told was it was being designed to encourage pedestrian traffic from the neighborhoods around. It would be interesting to get a sense from their management for whether they're actually getting pedestrian traffic from the surrounding neighborhoods. That was part of what they sold us on.

Mr. Klein: Ironically, we have a meeting with them tomorrow. They have indicated that they are noticing it is so much safer for the children at Cure of Ars with the retaining wall, landscaping, and sidewalks.

Comm. Belzer: It looks really nice.

Mr. Klein: Oh yeah, it made a huge difference.

Chairman Elkins: I'm still not sold on the 50-ft. height and having tall buildings right on 135th Street. I understand the concept. I still have these concerns about a big canyon going down 135th Street that, frankly, looks like Metcalf now. I feel like there are monoliths.

Comm. Block: I was going to go back to the second bullet. I know there was a lot of conversation about excluding anything over basically a duplex. I don't know if I share that opinion, only because we want to create some density. As it gets closer to 135th Street, I don't think we want a small home with a yard that butts up to 135th Street. I think we need the transition with brownstones or townhomes that are a little denser around the coffee shop or the things that were discussed. Then someone's yard isn't touching the restaurant or 135th Street. Going north would be the smaller single-family homes potentially.

Mr. Klein: We've had a lot of great discussion, and I don't want to wear anybody out. We talked about a front setback of 30 feet being the ones adjacent to existing residential and not so much the ones interior to the site. There, we were thinking of reducing the setbacks. I've heard some people supportive of that. The ones interior to the site would have setbacks closer to 5 feet. Can you give me a sense of if you feel that's too much, too little?

Chairman Elkins: That seems awfully small to me, but I think some of my colleagues are comfortable with it.

Comm. Hoyt: The slide from Longview has green space, a sidewalk, and more green space.

Mr. Klein: That would be closer to 15 feet.

Comm. Hoyt: That looks reasonable to me.

Comm. McGurren: It does to me, too.

Comm. Belzer: I agree, too.

Comm. Hoyt: The 5 feet seems like it's right at the street.

Mr. Klein: We had the 135th Street Community Plan and then the 135th Street Implementation Plan. Some of the things proposed were 6-20 feet. We were just trying to make it a nice, round number.

Comm. Hoyt: That lawn before it hits the porch is more than 5 feet, much less the sidewalk and the other green space.

Chairman Elkins: What about your Meadowbrook slide? Those seemed close to the street.

Comm. Belzer: Some of those are right on the street.

Mr. Klein: Yes, and they're coming right down. It can have a nice aesthetic as part of it.

Comm. Hoyt: There again, it has a sidewalk and a green spot. That makes a difference.

Chairman Elkins: Does the setback go from the sidewalk or the street?

Mr. Klein: Typically, the sidewalk is in the right-of-way, and then 1-2 feet after the sidewalk is where the yard begins. That's where the setback is taken from.

Comm. Hoyt: It depends on how big the sidewalk and how big the green space is in front of it because a 5-ft. setback could be okay in certain circumstances, I would think.

Mr. Klein: We'll try to get you more examples as well.

Comm. Belzer: In that Meadowbrook slide, the issue of having a 5-ft. setback is if you're walking, you're literally on someone's front step. It's a little close. Some of them have gates in front of their doors because you're literally walking on their front steps.

Chairman Elkins: It gives the urban flavor.

Comm. Belzer: I don't think this is a duplex; it's a single-family home.

Comm. McGurren: I think 15 feet seems reasonable; 5 feet is too little.

Mr. Klein: The side yards would also be smaller. You've seen a lot of 7 ½-ft. side yards to give 15 feet between buildings. That was the former Fire Marshal's rule of thumb. He felt anything closer needed firewalls, sprinklers, and those kinds of things. In talking with the current Fire Marshal, we're finding that it isn't a hard and fast rule; it was more his rule

of thumb. The way the ordinance works is they can be closer with a sprinkler. With regard to the rear setback, if it's on the exterior ones on the perimeter adjacent to the existing development, we thought about 30 feet. However, we talked about alleys and garages, which would lead to a zero-foot setback. We want to know if you're interested in that as well.

Comm. McGurren: In that example, would you require the driveway to be long enough to have at least a car and a room for the person to walk down the sidewalk behind it?

Mr. Klein: Whenever we have a car backing out, we want to make sure the driver can actually clear the garage.

Comm. McGurren: A guest could park in the driveway and still have plenty of room. Every once in a while, you'll see these places that are really tight for the person who just comes to visit.

Mr. Klein: That's an excellent point.

Comm. McGurren: As long as that is true and that equals zero because you don't count the driveway, I'd be fine with that. I'd be thrilled with the alleyway concept.

Mr. Klein: What about other commissioners?

Comm. Hoyt: I'm fine with alleys.

Mr. Klein: Currently, we don't have detached garages; they are required to be attached. It would be big departure to allow them?

Comm. Belzer: I wouldn't.

Comm. McGurren: Let's leave that.

Mr. Klein: Another thing we hear from developers with interest in the property is parking. We have a requirement in MX-D and RP-4 to have one totally enclosed parking space and one that can be outside. Typically, we get parking studies that show they don't need two, so they provide the enclosed space and a ratio that is not 1:1 for the outdoor parking spaces. Every zoning district requires a minimum of two totally enclosed parking spaces. We want to talk with you about that as well.

Comm. McGurren: If we're building for existing Leawood residents, I think we would want two. From a safety standpoint, it's a lot better to not have it unattached; it's a lot better to have the space available.

Comm. Belzer: I agree. I would not be in favor of carports, either.

Comm. Hoyt: I agree.

Comm. Stevens: Yes, and it sells better to have two. I would think the developers would want to provide that.

Mr. Klein: We've had a lot of them say they don't. Honestly, staff has real concerns about the carports. We've seen some that are proposing garages, but they're separate from the unit. It's separated from the unit, but it makes the development hard to navigate. It creates barriers to make it walkable.

Comm. Hoyt: I have seen some of those developments where some are attached and some are detached garages with the alleyway concept. It makes for some very crazy traffic situations with people trying to pull in and out of their garages.

Mr. Klein: The one on the lower righthand corner has detached; the lower left has attached.

Comm. Belzer: I guess it's the backyard space, but the detached seems like wasted space.

Mr. Klein: We talked about the height, and tonight, we heard that 50 feet might be too tall, which would accommodate a 3- or 4-story building. Right now, in the R-1 and RP-1, we have a height of 35 feet for single-family houses as measured at the front door. We are proposing 35 feet if adjacent to an existing residential, and after clearing 150 feet or almost a residential setback from existing residential, it would be allowed to increase at more of a linear rate. In this case, we would propose 5 feet per additional 10 feet. That's only a 15-ft. difference, so it would get reached pretty quickly. Maybe that rate would need to be tweaked a little bit.

Comm. Stevens: It would reach 50 feet.

Mr. Klein: Yes, it would reach 50 feet before getting to 135th Street on a lot of the properties.

Chairman Elkins: We've gone through this time and time again, but is it 50 feet from grade or 50 feet from the street?

Mr. Klein: It can be measured at the front door. It could come from the lowest point, such as a walkout basement. It could be an average grade up to the tallest point. Regarding the height, a contemporary look with a flat roof is lower. If you want a pitched roof, it will go higher. I think that's all we have tonight.

Chairman Elkins: I think this has been a really great discussion. In all the years I've been on the Planning Commission, this is one of the few times where I've really felt like we've been engaged in planning. It's not a criticism, but almost everything else we've done has been reactive to what developers want to do. I appreciate all the work staff has done and the opportunity for commissioners to engage in the planning process. This is where it's fun.

Mr. Klein: Thank you. Staff really worked hard on it.

Comm. McGurren: Great job.

Chairman Elkins: What does the schedule ahead of us look like?

Mr. Klein: Currently, we have Cameron's Court, which is now East Village, scheduled for the October 11th meeting. This will take a mid-meeting, so we won't have the opportunity for a work session on that one. We have a meeting on the 27th as well. Currently, as of today, we have luxury villas, which is what we talked about on the southwest corner of 137th Street and Mission Road, where The Majestic used to be. We also have a sport court with lighting. It's been quite some time since we've talked about a sport court. That won't be a heavy agenda outside of the twin villas with the triplexes. There's still a lot of work to do on that. After that, we have the October 11th meeting with the East Village. October 25th is our regularly scheduled meeting. We haven't had an application deadline for that yet, so we don't know what cases are going to be on there. We know that some have come in several times, and it seems like they're getting ready to apply.

Chairman Elkins: So, it's September 27th for the sport court and the replacement for The Majestic.

Mr. Klein: Yes, and we also have the East Village on October 11th.

Chairman Elkins: I'm sure you'll do this anyway, but with East Village being as big as it is, if we can get staff and Mr. Oddo to focus on the differences, it would be helpful. I've heard through the grapevine that there have been some changes. We're all intimately familiar with the history.

Comm. Coleman: That's a Final Plan, so there is no Public Hearing.

Mr. Klein: That's correct. Public will be able to speak at the Governing Body meeting, though. We tried to put it on its own meeting in case there was a lot of discussion.

Comm. Stevens: Even though there's rumor of changes, there are not enough to send it back to preliminary.

Mr. Klein: That is correct. You'll see the first and second phase only.

Comm. Coleman: Remind me what those are.

Mr. Klein: Single-family homes along 133rd street, twin villas along 133rd Street and the mansion-style apartments will all be in those phases. He is changing a bit of the phasing. It used to have the brownstones in the fourth phase. Now, he has two of those included in the second phase. Nothing is over two stories.

Chairman Elkins: Do you have any sense for when the Johnson County Wastewater Pump Station case is going to come back to City Council?

Mr. Klein: It was originally supposed to come back on September 19th; however, there are still studies. We don't have all the information. I believe it will be continued to October 3rd.

Comm. Coleman: Which pump station?

Mr. Klein: It's the one at 8900 State Line, which had most of the public input. The other three got approved.

Chairman Elkins: There were three options, and the public preferred one of the options. City Council decided to take it on themselves, so that's good news.

Comm. Stevens: Were we going to go through the Comprehensive Plan?

Mr. Klein: If you have any changes on the paper copies, give them to us. We'll come before you one more time with the rest of it.

Comm. Belzer: I really liked all the changes.

Mr. Klein: Thank you.

Chairman Elkins: I was confused a bit, too, as Doug was. I made the comment about getting the developers in, and I was looking at the 135th Street Corridor with the blue spaces, but that's not part of the Comprehensive Plan, is it?

Mr. Klein: I'm sorry; we should have had an introductory slide dividing the two.

Chairman Elkins: I would reiterate my comment but in a different context. As we go through these iterative work sessions, at some point in time, I would like to hear from the developing side. It would help us to hear them. To Commissioner Coleman's point, I don't know how we'd do it and if we'd get much of a turnout, but I'd love to hear from the public before we get to an actual formal zoning proposal. It's kind of a "chicken and egg" situation because, certainly, the statute contemplates that the public should be involved in the Comprehensive Plan, but we wouldn't put it in the Comprehensive Plan until we changed the zoning because the Comprehensive Plan is supposed to reflect the zoning as it exists and not as it might exist in the future.

Mr. Klein: It works both ways.

Chairman Elkins: At some point in time, I agree with Commissioner Coleman. I don't know if we'd get the public here because every effort we've made in the past, except if it's something they're concerned about that's about to be built, it's been difficult to get citizen participation. It sounds like a number of you have had conversations with a number of

people. If we have a Public Hearing, I'd love to hear from some of these folks who have expressed an interest in smaller homes.

Comm. Belzer: It would also be interesting to hear from some of the people who have been vocal about what they don't want. We could personally invite them. We know who they are. We have all their emails.

Chairman Elkins: Any other questions or comments? Thank you, Mark. This was a great discussion. This is planning and something we haven't been able to do much.

Mr. Klein: It is fun to delve into that.