

MINUTES OF THE PLANNING COMMISSION MEETING

October 28, 2019

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, October 28, 2019. Members also present: Jami Casper, Robin Dukelow, Stuart Braden, Burton Taylor, Brad Davidson (arrived after approval of minutes), Charlie Troppito and Frank Bruce. Pete Christiansen was absent. Also in attendance: Brian Scott, Assistant City Administrator, and Audrey McClanahan, Secretary to the Planning Commission.

Approval of Minutes from the September 23, 2019 Meeting

Comm. Troppito moved and Comm. Braden seconded a motion to approve the minutes of the September 23, 2019, Planning Commission meeting, with three corrections noted by Comm. Bruce.

The vote was taken (5-0-2). The **motion carried**. Commissioners Dukelow and Taylor abstained from the vote.

New Business

Application # 19-06: Amendment of the Final Development Plan for the Gateway - 4801 Johnson Drive, Matt Valenti, Cameron Group, LLC, Applicant.

Mr. Scott: I thought before we dive into the actual staff report I might give you an overall update on the project, kind of where we're at right now. That is a very nice rendering of the overall development, once completed. I know it seems like there hasn't been a lot of activity on the site, and like you all, I kind of wonder what's going on myself, and I sure have a lot of questions. Questions from the public over the last year about, what's the delay, what's occurring? But there's actually been a lot going on behind the scenes that people typically don't see at this stage of a project. We've been working on plans and permitting. We've also been working on many of the redevelopment agreements. The City has been doing its due diligence through that process, all in preparation for the issuance of special obligation bonds, which if we stay on track, should be done within the next month.

So, in particular about permitting and plans, we issued a permit last August for the three apartment buildings located on Johnson Drive and Roeland Drive; 168 apartments over ground floor retail shops. The estimated completion date of that is 2021. Construction was suspended on that last winter. They – the construction management firm overseeing construction of the project – had been doing some initial earth work on that project again, reevaluating the structures that were put in place last fall/early winter. If all goes well, I think the intention is to start on that as soon as the financing is in place. So, we'll pick right up on that project again. The contractor was Nabors Construction, but they have withdrawn from the permit. The construction manager, Folgel-Anderson, stepped into the role of Nabors, and they put their name on the permit and will be doing construction of that project.

The hotel. When first conceptualized, this was going to be Aloft/Element, kind of extended stay type of hotel, both flagships under Westin, which is now owned by Marriott. Through the design process over the last year or two and negotiations with Marriott, this has become an Element hotel. Marriott has a very distinct brand image around their Element Hotel, so the developer has been working with the architects to incorporate that brand

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image into the hotel's final designs. It will have 202 rooms, as approved in 2017. It will still be a seven-story building at the corner of Roeland Drive and Shawnee Mission Parkway, and the estimated completion date is 2021.

The parking garage was initially a three-level parking garage. The developer is now proposing to make that a four-level parking garage with 808 spaces. Construction drawings were submitted earlier this summer and are in the review process right now. The developer is hoping to start pouring footings here in another month or so, and I think we'll be ready to issue footings permits for him to do that, so he can start before the frost really hits. I should add, the hotel, I think we're close to final review on construction drawings for the hotel, and we're planning to issue a permit by the end of this year, if not in January. Very close to final completion, final review on that.

Cinergy is a kind of dine-in movie theater/entertainment venue. The plan is to have 10 movie screens of various seating capacity, but also have a 16-lane bowling alley, ax-throwing area, escape rooms, arcade floor – a variety of different entertainment components to the venue. Cinergy is a company based out of Texas. They are expanding into the Midwest and other parts of the country. This would be their first location in Kansas City. The developer signed a lease with them last winter and they were very anxious to break ground and get going on the project, so they submitted construction drawings late winter/early spring. Those were approved and turned around in fairly short order, by May or June. One of the issues was a sanitary sewer line that runs through the southern portion of the property and makes a funny jog, which actually takes it right under the Cinergy building. That had to be realigned and upsized, which required review by Johnson County Wastewater. That proved to be a challenge, I'm not sure why, but that took some time. That was approved this summer, and work was completed last month. They actually required the closure of the far southbound lane of Roe, kind of a turn lane onto Shawnee Mission Parkway that doesn't exist there anymore; that was that lane. That was closed for a month or so during August/early September. At the same time, Johnson County Water One District came in and replaced a water line along that section of Roe. Apparently, it was at a point where it needed to be replaced, so they took advantage of the opportunity of the road being open to do that work. All that work has been completed.

The pad site, as I understand, is ready to be turned over to Cinergy so they can begin construction. They have hired a contractor named VCC, which does nothing but movie complexes all over the country. They're already out there doing piers for the foundation, and they'll be bringing out panels probably within a month or so, starting to put up walls. Completion for that is to be 2020. That's what's driving a parking garage, because the commitment to Cinergy is the parking garage will be finished about the same time as the building itself, to provide parking.

Office building. That's what we will be reviewing tonight, the design. This was part of the initial final development plan approved in 2017. At that time, it was a three-story building; the developer is now proposing four stories. I believe they have a tenant, maybe multiple tenants, lined up for that building when completed. Completion for that is 2021.

Finally, the food hall. We've heard a lot of talk about the food hall. We hadn't seen conceptual designs until recently. Those were brought to a point we felt we could include

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that in our amendment to the final development plan, which you're considering this evening. It's a two-story building, 40,000 square feet, comprised of restaurants, as well as a food hall that will have about 14 vendor stalls. Local chefs will have an area to prepare menu items that can be sold to the public, and enjoy a general seating area in the food hall. There will also be an outdoor area to the far east of the building, right at the corner of Johnson Drive and Roe. They'll have yard games, and possibly an outdoor stage for small concerts. That is expected to be completed in 2021.

That's where we've been so far. We've also been working diligently this summer on renegotiating the redevelopment agreement that was adopted in 2017. It was kind of driving the redevelopment agreement as a structuring of the phasing. The original project was going to be constructed in phases, with the apartment building being the first phase. Once that was completed, we would sit down with the developer and discuss either a pay-as-you-go, TIF, or possibly issuing bonds for Phase 2, which would have been the hotel and garage. Phase 3 was going to be the retail. At the time, the retail was still up in the air. If you'll remember, we had a retail space in that final development plan of about 119,000 square feet, which was essentially the old Walmart that was not approved by City Council. So, the developer wants some time to find a retail component that will fill that space, either a smaller junior anchor tenant, or something different. When they landed this lease agreement with Cinergy, that's what drove things to switch the phasing around, which caused the need to renegotiate the development agreement. So, everything has been condensed down to one phase now. All components will be constructed almost simultaneously.

One of the important things about renegotiating the redevelopment agreement is that the key points of the original deal are still the same. So, the developer will see 100 percent of the real property tax increment that will go to pay the bonds. The developer will receive 55 percent of the sales taxes generated from the project. The City's 1 percent general sales tax. The City will receive a 45 percent balance. The developer will receive 8 percent of the 9 percent Transient Guest Tax. The City will receive the balance of 1 percent. There's also a Community Improvement District that was created on the site. That generates an additional 1 percent sales tax. The developer will receive all of that.

We are issuing special obligation bonds. That means that there's no guarantee on the City. So, if for whatever reason things go south, the City is not going to be on the hook to have to repay those bonds. And repeated throughout all these bond documents is these are special obligation bonds, kind of a "buyer beware" for the bond purchaser that's buying these bonds. It's repeated over and over again. The City is not obligation, we're not putting forward our credit on those bonds. That's the highlight of all of that. I will jump into the staff report now.

Comm. Troppito: Mr. Chairman, I have a comment. I just want to remind staff that in the past, whenever I mentioned and questioned finances, the City's financing of these projects, I've been repeatedly told that we're not to consider that as part of our decision-making process for the voting. I just want to remind you of that.

Mr. Scott: That is very true.

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Comm. Troppito: I appreciate the information, but I just want to be sure that, regardless of people's opinion on the financing of it, that has nothing to do with the decision-making process tonight.

Mr. Scott: That's correct. I just wanted to share that information with you all. We presented it to City Council a couple weeks ago at a special meeting. They did approve the redevelopment agreement, so we're now working towards issuance of the bonds and all of that. I just take every opportunity I can to present that information and get the word out to everybody.

This is the Gateway site, a 17-acre parcel located at the southwest corner of Johnson Drive and Roe Avenue. The property is zoned Planned Mixed Use District. This district is intended to encourage a variety of land uses in closer proximity to one another than would be possible with more conventional zoning districts, and to encourage building configurations that create a distinctive and memorable sense of place. Developments in this district are allowed and expected to have a mixture of residential, office and retail uses, along with public spaces, entertainment uses and other specialty facilities that are compatible in both character and function. Developments are also expected to utilize shared parking facilities linked to multiple buildings and uses by an attractive and logical pedestrian network. The current final development plan was approved by the Planning Commission in March of 2017. As I stated, it consisted of essentially the five buildings or components that you see in the plan tonight. The residential would be small retail shops on the ground floor, the hotel, the office, the retail, and the parking structure. The residential and small retail on the ground floor remains as it was presented in the final development plan, as well as the hotel. There have been slight modifications to the other three components. The retail is now a different mixture. The Cinergy building of approximately 89,000 square, as I described it, is kind of a movie complex, dine-in movie, with an entertainment venue. Next to that on the north side of the building is the food hall. That's just shy of 40,000 square feet, a two-story structure. It is a sit-down restaurant that's going to be managed by Tom Colicchio of the Food Network, and restaurateur in the New York City area. That sit-down restaurant will be about 4,000. There will possibly be another indoor entertainment type of venue on the second level of that building. I think the developer is currently working with a tenant on that. And then, the balance of the building will be the food hall itself, as I described. Kind of an open concept of space, about 14 stalls where chef can prepare their meals and present those. Kind of a small venue. Be purchased by folks and enjoyed in a general seating area.

The office building was originally proposed to be three levels at 58,516 square feet. The developer is now proposing four levels of 76,487, so an additional one level and about 31 percent increase in overall square footage. I'll let the architect and developer speak more to the design of the building itself, but it's primarily aluminum, curtain wall, with varied shades of glass. I think they brought examples of those tonight. There is a component on the eastern elevation of that that is kind of a wood element on two stories of the building, sort of [inaudible] to the surface of the building, that presents character articulation to the building.

Finally, the parking garage itself, this has actually shrunk in size, in the total number of parking spaces. The total number was originally proposed at 1,528. The amendment is

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now proposing 1,457 total spaces. So, it's 735 surface spaces in the original plan; it's now 649 surface spaces. The garage in the original plan was 793 garage spaces, and it's now 808 garage spaces. So, that has increased by an additional 15 spaces, or 2 percent. The biggest change is the number of levels. There was initially three levels. It actually sprawled out a little more on site, connected to the office building and the hotel. For a number of reasons, the developer is proposing to shrink that footprint, bring it in a little bit, which now makes it four levels. Probably provides a little better access to the site for some of the heavier equipment that will come in there, especially like a fire apparatus. It could probably provide more natural light to the office building and the hotel. It's probably a better design overall than what was originally proposed. There are walkways from the parking structure to each of the elements in the plan, the apartments as well as the hotel and the office building. Walkway to the office building is actually three levels, sort of a walkway to each level of the office building from the garage.

I'm going to skip over some of the design features in the staff report because I don't want to steal anybody else's thunder. I think I'm going to stop there and hand it over to the developer and his team. Mr. Valenti and his son are both here this evening, as well as the architect, Steve Salzer from El Dorado. There's also somebody here from Olsson, who is a civil engineer on site. Their attorney is here, too, if you have any questions for him.

Steve Salzer, Architect with El Dorado, appeared before the Planning Commission and made the following comments:

Mr. Salzer: I've been involved in this project since early 2015. El Dorado put together the original master plan for the current version of the project, and it's the architect of the residential building, the garage and the office in its current stage. Cinergy has their own architect, and MSPJ is heading up the hotel and the food hall. So, more of a mix than it was before. Before, we were kind of doing the whole thing.

So, we've revised the applicable portions of the approved final development plan, so I just want to walk through some of those changes with you. Here, showing the rendering. You can see four-story office in the background, hotel, residential. This is the now four-story parking garage, which as described, has shrunk on the north and the south to be more compact. Still connects to all the buildings it previously did, but again, opens up the view and sunlight to the ground plane a little better. Also provides space for a pool that was added to the ground floor plan, serving the residential building, as well as a rideshare drop-off segment. So, if you're wondering why the overall parking count has dropped a little bit, part of it is to provide that additional amenity on site.

Overall site plan. This is hard to see at this scale. Here, we have the tally of the square footages in their current version. Tally of parking, and quantity of apartments and hotel rooms. Various components called out. Next slide.

This is a diagram of the uses on the site to help you understand where the retail, theater, and so on are, as described. Next slide. Sectional diagrams. As you probably know, these are required as part of the final development plan. We can skip through some of these pretty quickly. Some of the views of what the monument signage may eventually become. Some rendered views of the site. This is a view between the residential building on the north, and the north end of the parking garage, where we pulled back one structural bay

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– or 60 feet – and provided this rideshare drop-off in the foreground. Cinergy is right behind this view. The pool, screened, is beyond [inaudible, coughing], semi-connected to the narrow part that has always been between the residential building and the hotel and this view.

Next slide. These are very similar to what has been presented in the past. The view of the park is still similar. You can see the pedestrian connectors to the garage, go to the residential, to the hotel, to the office. Next slide. More ground-level views. Here, we start to see some of the revisions. Upper left, we're on Johnson Drive looking south at the entrance on Johnson Drive, so you're seeing the end of the residential building and you're seeing the edge of the food hall and Cinergy and the office building. So, as you enter the site this way, you get a view of the entrance to these components. On the right here is a view from Shawnee Mission Parkway looking to the west. This is the office building here, and this is the back end of the Cinergy building. Bottom left down here is the food hall. These are hard to see on this screen. I think this is a view of the food hall at the corner of Johnson Drive and Roe. This is the outdoor space. Previously, in the version when this was pre-anchor retail spaces, this had a big arching wall behind it that was trying to screen where the big semi-trucks would have to deliver, so this was all back of house. Now, this corner is developed and presented to the intersection as a nice amenity. And then, the corner with the Element hotel, Shawnee Mission Parkway and Roeland Drive, is showing revised views of what that façade looks like on the hotel there.

Next one. These are FDP-required site plans, going level by level to describe parking and square footages of each use, level by level, so we can skip through these pretty quickly. We can go to each building. Here we have the floor plan of the food hall. North is up. This is Johnson Drive, this is Roe. This is the edge of the Cinergy building, which has been approved already. So, the food hall is basically interior space that's shaped here. Nice decorative paving that's in alignment with the paving that's been approved throughout, so you have that same paving pattern drawn throughout the site, connecting the various parts and pieces.

On the exterior, what's being proposed by MSPJ architects is, we've got some stone cladding, we've got some dark brick, metal panel, and wood-look metal panel, which is pretty well in line with the palette for the rest of the buildings on the site. Two story view. This is a view at Johnson Drive, so lots of glazing at street level, which previously, concerned when this was junior anchored retail spaces was this white, blank façade at that intersection, if you can remember that. So, this is a great improvement on that. There's also landscaping that happens all along in front of here that is omitted so we can understand what the façade has. Next slide.

This is a view of the parking garage behind you, looking north. This is the entrance at Johnson Drive. The corner of Cinergy and the food hall creates this kind of outdoor space in front of it, as well as on the other side of the intersection. Lots of opportunity for things to happen outdoors.

Parking garage. As we described, we shortened it by a bay on the north and south and added a level, basically adding the same amount of parking stalls, a few short, but creating a much more compact floor plan. It got us out of tricky situation where we were

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much too close to the office and the hotel on the south, and provided adequate access for fire trucks, and made it so we didn't have to consider this one giant building from a code perspective. So, it made things much easier for permitting and to help expedite the process. On the north, we shrunk it by a bay, as described, to create a space for the pool and the rideshare drop, which also gave it more breathing room to the residences there on the north end. Next slide. It also connects all the way to grade. The ramp in the middle connects all the way down to grade.

These are elevations. There's a large scale expanded metal mesh that we have a sample of. It's being proposed for the outside of this, so it's set in kind of a thin pattern, like a zigzag. This mesh looks opaque in one view and very transparent in another. Maybe you've seen this. It's on the new museum in New York. It's really nice stuff. So, imagine this set off from the façade. You can see it changes the way it looks depending on the angle you're viewing it from. It can be more opaque or more transparent, which gives it lots of nice interest.

Comm. Bruce: One question while you're on that. Will it still screen the car lights from the apartments as well as the previous?

Mr. Salzer: This would not, but the spandrel panels of the precast concrete still come up to... [crosstalk] ...

Comm. Bruce: Okay, those will come up.

Mr. Salzer: Yeah, they screen the cars and the headlights. This basically screens the garage structure itself, so it's not just a bare precast garage. We've cut some slots out of the, some visible slots out of the mesh in certain places where it's advantageous to have more view, and kept it screened where we're directly adjacent to the residences or the hotel. This is a detail of that façade. It's kind of hard to see here, but the fins coming out. It's not just flat to the façade. It's applied in panels that do this. Different vantage points will have a bit of interest. And you can see here the spandrel panels that extend up. Those will block the car lights at all levels, including at grade. We'll keep the spandrel down there. Next slide. A detailed view of some of the materials on the garage. There is precast concrete, there is this expanded metal, and there's [inaudible] grading that we're using, in combination with the expanded metal at staircases. A little bit of [inaudible] on the metal panel there that will be very interesting, and as a guardrail on the pedestrian bridges.

That brings us to the office. The office is kind of a funny shape. We're very hemmed in at that end of the site. There is a sanitary easement that's coming at a Y on the... actually, it passes under the building here, just like it does under the parking garage, and it connects under Shawnee Mission Parkway. You've got Cinergy here, you've got the parking garage here, and we've got our hotel right here. We're basically using the space we have available to us and dancing over the sanitary easement, going up with that, and we have achieved three roughly 25,000 square foot floor plates at the central core. So, this can be divided up in multitenant per floor, or single tenant per floor, or single tenant on multiple floors, so it's very flexible. It's connected at levels two, three and four. Pedestrian walkway through the garage. Also, an at-grade entrance here. It does lift up above the ground, so you park underneath it, drive underneath it, get over the sanitary

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easement, then we have continuous floor plates above it. We're trying to make the best of a tricky situation. Next slide.

On the façade is an all glass curtain wall, so it will look glassy from the outside. We are looking at a pattern of glazing that is a super subtle shift in reflectivity. These are all three slightly different, and it's really difficult to tell here, but there is a super subtle shift in the reflectivity of the glass panels. But when you see them on a bigger façade at the right time of day, you'll see a little bit of intentionality in the glazing. It's not like one swath of glass. Mostly clear. These are all considered clear glass. Very transparent and modern. On the north and south, we've designed these inset balconies, so it recedes back in off the façade about 12 feet, I think. It creates kind of a covered outdoor space that's accessible to tenants, and depending on how the floor lays out, could be a single tenant, or could have multi-tenant access. Those insets are wrapped on the inside with this really nice wood panel. This is called Prodema. It's a resin-impregnated plywood. This is actual wood, but because it's basically been plasticized, it lasts a really long time. It's UV resistant. A finished product. So, that nice, rich panel exists there, and it also exists on the underside of the building, where you can drive and park underneath, which we think will be very nice. Next slide.

The FDP then gets into more technical landscape and civil drawings, which we can go through. Someone here from Olsson who is smarter than me can speak to these. Basically, we made adjustments for the various buildings in the hardscape and landscape. Street trees, plantings, paving patterns, and so on. That's where we are right now. Any questions?

Unidentified: Since we've gone to four stories, I'm just wondering, will the surrounding residences and other properties be able to see the luminaires at the top of the garage?

Mr. Salzer: No, they should not. There will be light poles on the roof of the garage, as you would have at grade, but they have a light cut-off, so we'll treat the garage as if it is its own building, where there will not be any light spill off the garage. There might be instances where, if you're right up under there, you could get a glimpse of it, but it will not be shining into the apartments. All the lights are designed with the proper cutoff, so they don't spill out.

Unidentified: As far as on the north end of the garage in relationship to the residential, since you're going to a... It's hard to see on the drawings, but going to another floor on the garage. So, as far as the elevations of the height of that residential on that end versus the height of the garage to the top floor, what's the relationship of elevations on those as far as heights?

Mr. Salzer: The garage is lower, and there's a view where we can show this. Maybe back towards the front? There is a perspective shot...? Right here. So, it's out of view, but the residential building is still a bit taller than the parking garage.

Comm. Troppito: I have a list of questions for you and Mr. Valenti, whichever one of you wants to chime in on them. First, my understanding in your final plan is that low or no VOC paint will be used.

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Mr. Salzer: Yes. Definitely on the buildings, we're specifying that, I would imagine it with MSPJ as well, that's pretty standard nowadays. Boilerplate...

Mr. Valenti: That's the food hall.

Comm. Troppito: Also, that Wi-Fi enabled thermostats are going to be used in each apartment to allow for individual control for the HVAC that enables remote access. Is that correct?

Mr. Salzer: Yes, nest thermostats are being installed in the residential building.

Comm. Troppito: The residential/retail building along Roeland Drive that you point out earlier, that has a green roof above a portion of that, the retail, and it will be planted with drought resistant plants that don't require watering?

Mr. Salzer: That's right. Sedums. It's a pre-vegetative system. Live group is the basis of design right now, the manufacturer, but the trays are pre-grown, and the species are selected for the particular environment that the building creates, if it's self-shading, or whatever exposure it may have. With any roof, you know, a year of establishment water, temporary watering, is required, but beyond that, it should be maintenance free as far as watering.

Comm. Troppito: All glass used is energy efficient low-e glaze?

Mr. Salzer: It is, yes.

Comm. Troppito: All lighting will be LED?

Mr. Salzer: All lighting is energy efficient. I don't know that it's all LED, but yes, we have considered energy efficiency in the lighting on all the projects. It's dictated by Element as part of their baseline specs.

Comm. Troppito: The Element Hotel will be built to comply with environmentally sustainable building systems that are required by Marriott?

Mr. Salzer: Correct, yes.

Comm. Troppito: So, everything I stated is correct?

Mr. Salzer: Yes.

Comm. Troppito: Okay. I have some other questions, and I ask the Planning Commission's indulgence for them, and the explanations behind them. There are approximately 30,000 cubic yards of concrete used for this project.

Mr. Salzer: Yes.

Comm. Troppito: Using an emission factor of .125 per cubic yard, the carbon cure mineralization process I have mentioned before would permanently sequester 375 cubic yards of carbon dioxide if available for use in our geographical area. Assuming my calculations are correct, this amount would cover the same area as a 281 foot high by six foot wide on all four sides rectangular column. As you know from my LinkedIn postings, I've proposed that the City and other local governments take legislative action to attract this company and Italcementi, another transformational green technology company, to the KC area and Mission by the following steps:

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1. Including certain language in the City's 2020 legislative priorities list for State and Federal legislation, and
2. Reaching out to these companies for the purpose of attracting their technologies to the Kansas City area for use in capital improvements and development projects, and
3. Reaching out to these companies for the purpose of location administrative offices in the city of Mission.

My questions to you are: If the City took such actions to reach out to these companies, would it be helpful to you in assisting you to reference the City's actions if you were to contact them for purposes of attracting them as potential tenants?

Mr. Valenti: Yes, without question.

Comm. Troppito: Would you use such technologies for the Gateway project if they were available in our area, and if they did not either increase the project cost or cause any construction delays, and if testing demonstrated that their use meets or exceeds the required concrete compressive strength engineering design requirements for the Gateway project?

Mr. Valenti: Yes.

Comm. Troppito: Thank you both. That's the end of my questions.

Chair Lee: Any other questions?

Comm. Dukelow: [inaudible], Mr. Chairman.

Mr. Scott: Mr. Valenti, anything you want to say? [No audible response] I'll go ahead and wrap it up. Staff does recommend approval of the amended final development plan, with the following stipulations: Plans will need to be presented to the Kansas Department of Transportation in accordance with the recommendations outlined in the Traffic Impact Study, which you should have all received; I have a copy of that if you'd like to see it, or I can send it back out. Submit a revised final site plan for staff review and approval showing the following: a. Increase the width of the paved sidewalk along Johnson Drive in front of the food hall to 8 feet to be consistent with the rest of the sidewalk along Johnson Drive in front of the project site; b. Reduce the number of street trees provided along Johnson Drive in front of the food hall so that trees are 50 feet on center. Let me explain that to you a little bit. Per code, we would be requiring 21 trees along Johnson Drive from essentially Roe to Roeland Drive. A 2017 approved final development plan had 15 trees. The reason for that was because the apartment building sits fairly close to Johnson Drive, and the eight-foot sidewalk with trees would be difficult to walk along sidewalks, so the trees were removed. It would seem now that the code does allow for clustering of trees in order to meet that number, so they have attempted to do that. To me, it seems a little crowded when I look at the landscaping in front of the food hall, with the trees, thinking about full growth and foliage during the summer months, and the width of the trees is not quite 50 feet on center; I think it's more like 45, is what I measured in the plans. So, my proposal is simply to remove a few trees, two or three, and spread them out a little more, give more visibility to the food hall itself.

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Prior to the issuance of any building permits, a revised final plat must be approved by the City. Right-of-way should be dedicated including all on-street parking areas, sidewalks, and public infrastructure along Roeland Drive, Johnson Drive, and Roe Avenue. They have prepared a final plat for this project, and that will be for your consideration next month. Prior to building permit issuance for any building spanning the RCB's, demonstrate venting for the proper function of the RCB's will be taken into consideration, and that any piers or footings will not impact the facility. Finally, submission of a revised Private Sign Criteria to the Planning Commission for approval at a later date. That's the staff recommendation.

Comm. Troppito: Earlier today, I received an email from a former member of this Planning Commission, and rather than just jumble up what his question is, I'm wondering if we could allow him to ask the question. It involves questions about an arborist and the type of trees to be planted. Could we indulge these questions?

Chair Lee: Sure.

Comm. Troppito: Brian? I'm talking about your question about the trees and consulting an arborist. Would you want to explain what your question was?

Brian ____: Oh, boy. I'm going to have to reset my.... The question on the arborist was just simply...

Chair Lee: Could you step forward?

Brian ____: My question actually referred to a secondary issue. It was more along the line of, how would we be working with arborists who would be able to more professionally pick out the trees suited for this climate zone, regarding stress during winter ice storms, as well as shape, size, and determinacy of the size of the trees, and which would be more resistant to future insect and disease damage as climate changes. But that was also an issue that was related to another project that the City was talking about at the time. My area of expertise is slightly different than that, though. So, that was it.

I would have a quick question, if I might. On your flat roof areas, have you given any thought to reflective, highly-reflective materials, to reflect back UV?

Mr. Salzer: Yes, all the roofs, to my knowledge, are high reflectivity white [crosstalk]....

Brian ____: Okay. I couldn't tell from the drawings whether or not that was being incorporated.

Unidentified: Well, I'm not sure on the Marriott, but...

Mr. Salzer: On Element?

Unidentified: Yeah.

Unidentified: Brian, would the tree [inaudible]?

Mr. Scott: I'm trying to think if we have an arborist on contract, or referred to one. They obviously have a landscape architect who I'm sure is familiar with all the species and what is appropriate for this region, so he certainly worked with them to finalize those details.

Unidentified: Someone from Olsson is here and could talk to that.

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John Erpelding, Olsson, appeared before the Planning Commission and made the following comments:

Mr. Erpelding: Good evening. Olsson is actually working on the landscape plans. We have several professionally licensed landscape architects who are preparing these plans, who are trained well in plant species, making sure that we select the appropriate tree types for all the reasons the gentleman was saying. Making sure they are sustainable, can withstand winter months, provide shade. So, I feel confident that we have the right staff who are professionally trained in this area. They're not actually arborists, but they go through a lot of schooling on plant types and what's appropriate to an environment. We're used to working with cities on that, too, to make sure there's good collaboration on whatever requirements and code requirements on landscape plans. Also, when necessary, we reach out to other foresters or arborists when we have questions. And also, landscape contractors and suppliers, you know, to make sure that we're selecting trees that are available in the area. So, I think we go through all the right steps to make sure we're putting the best product out there.

Comm. Dukelow: I have a comment regarding the landscape topic that we're on right now, which is the trees. And I just want to express a concern that I see some poor street trees, and they're struggling. We all see it. We see it every day in the cities. The trees are struggling because they are planted when they are so small, and then, they hardly have any room for their roots. So, that is my concern, is that the, you know, we have a lot of trees, and it looks beautiful, the landscape plan looks beautiful, but I would want to be assured somehow that these will actually be able to survive here, based on the amount of ground space they're given for their roots. I know there's a concern about the width of the sidewalk along Johnson Drive, so I just want to express that I think we have to also give the trees enough space.

Chair Lee: Anything else?

Unidentified: I have a question. Actually, it has to do with what Robin just talked about and what [inaudible, coughing] brought up about, as far as the street trees. A great case in point that I've noticed on a project that was completed a couple years ago is by Natural Grocers. There are about four or five street trees on the south side of Johnson Drive, and those trees, they look like they possibly were purchased at a 50 percent off sale, or something like that. They were struck out before they even got planted in the ground, let alone the right type, like we just talked about. So, my question to Brian is, whenever those plants are decided upon, the trees are set in the drawings, does the City have, through that final inspection, as-built, or whatever, do you go back as a City, you know, as an as-built inspection, and make sure that this was what was approved as far as the landscape drawings? And this is what nursery stock was planted in that space?

Mr. Scott: Yes, we should be checking the species and seeing if that's correct or what was in the plans, the planting procedure in terms of the depth and the width of the well. I think there has been a struggle with some of the street trees. I've noticed some dead trees and trees that were cut off around another project here in town. We're in conversation with the property owner about replacement of the trees, but it seems that the trees that are still alive have almost outgrown that grate that goes around the well.

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Unidentified: Well, again, like I said, the example I'm talking about is the trees on the south side. For example, a case study of that project, or what-have-you, did the City, did we follow up as far as what trees were on the drawings and what is there now? They don't look very pretty.

Mr. Scott: Yeah, they don't.

Unidentified: They didn't look pretty the day they were planted, and they actually look worse. So, again, when those don't perform like they're designed, then the responsibility is, I guess, the City's? The property owner? Maybe it's a gray area? I don't know if we need to be specific and maybe have some guidelines about what's expected.

Mr. Scott: I can't speak specifically to that project and what was done because that was a little bit before my time with the City. So, I don't know exactly what was done in terms of following up. But that is something that we should be doing. We plan to do that with projects that have been approved under my tenure with the City, really go out and count bushes, and make sure the species is right, and all of that.

Unidentified: Well, I think we're all on the same page, so no worries there. I'm just glad we brought it up. Another question I had is, I know that the parking garage is being reduced somewhat as far as the amount of spaces, and I notice that the office building has now added another floor, I guess. Just to make sure that we still have the parking spaces required for the amount of office space and areas now.

Mr. Scott: We do. That's in the staff report. There's a portion of the mixed-use zoning that speaks to required parking, that speaks specifically to office space. I'm referring back to another section of the zoning code for those requirements. What's proposed with the amendment still meets the overall zoning requirements for parking.

Unidentified: That was just my concern, and I'm sure that was taken into consideration. It's just a question that I had.

Chair Lee: Additional comments or questions? Okay, I'll entertain a motion.

Comm. Troppito moved and Comm. Dukelow seconded a motion to approve Case #19-06 as presented by staff, Gateway development project, with conditions set forth on pages 12 and 13 of the staff report.

The vote was taken (8-0). The **motion carried**.

Old Business

Mr. Scott: I received a letter from the applicant late last week after the packet went out. They are withdrawing their application for that project. That takes care of that.

Comm. Troppito: What project is it?

Mr. Scott: That was a project you considered last month, which was the rezoning and preliminary and final development plan for that small parcel of property. The City Council did have a hearing at their last meeting for de-annexation of that parcel of property, and it was approved by City Council. The City of Roeland Park City Council met a half hour later and approved the annexation of that parcel of property. So, it's gone. It's officially a

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part of the city of Roeland Park, and all necessary paperwork with the County to reflect that will be filed shortly.

Comm. Troppito: I have a question about projects. What's the status on the site, the former Pride Cleaner site that's contaminated [inaudible]? What's the status of that project?

Comm. Dukelow: Mr. Chairman, point of order. We need to take the annexation case off the table.

Comm. Troppito: Okay. I'll hold my question.

Comm. Dukelow: Thank you.

Comm. Dukelow moved and Comms. Troppito and Bruce seconded a motion that Case #19-0, preliminary and final development plan for a parcel of property at the northeast corner of Johnson Drive and Roe Avenue, off the table.

The vote was taken (8-0). The **motion carried**.

PC Comments/CIP Committee Update

Mr. Scott: [Addressing Mr. Troppito's question]. I believe 5713 was the address to the property at the northeast corner of Nall and Johnson Drive. That was presented to you all about a year ago, a preliminary development plan for what looked like a two-story building on the site. That was approved by you all and subsequently approved by City Council. At that point, the project kind of stalled. I did talk with the property owner earlier this summer. It's owned by a couple, and I talked with the wife, and she said that once the architects began costing it out, it became cost prohibitive very quickly. So, they're back to square one with that property. They're looking to either lease or sell. That's as far as it has gone.

Comm. Troppito: The method to the madness of my question is that having experienced this, it was pretty clear from the beginning that that site was contaminated, and that it was in a state of clean-up. I just want to point out that in cases that come before this Commission, it might be best for staff to require a Phase 1 environmental assessment up front in cases where, like this one, where a sophisticated financier was not involved at the beginning. I think it would save us and the City a lot of time if that kind of information would have been forthcoming in an environmental assessment. If it would have been required. Thank you.

Staff Updates

Mr. Scott talked about upcoming updates to the City's Comprehensive Plan. Also, the process for hiring a new planner has begun. The recent de-annexation to Roeland Park was also discussed.

ADJOURNMENT

With no other agenda items, **Comm. Dukelow moved and Comm. Bruce seconded a motion to adjourn.** (Vote was unanimous). The **motion carried**. The meeting adjourned at 8:15 P.M.

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Mike Lee, Chair

ATTEST:



Audrey McClanahan, Secretary