

MINUTES OF THE PLANNING COMMISSION MEETING

December 18, 2017

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, December 18, 2017. Members also present: Jim Brown, Scott Babcock, Stuart Braden, Brad Davidson, Robin Dukelow, Charlie Troppito and Frank Bruce. Absent was Dana Buford. Also in attendance: Danielle Sitzman, City Planner; Brian Scott, Assistant City Administrator, Laura Smith, City Administrator, and Ashley Elmore, Secretary to the Planning Commission.

Approval of Minutes from the September 25, 2017, Meeting

Mr. Braden moved and Ms. Dukelow seconded a motion to approve the minutes of the September 25, 2017, Planning Commission meeting.

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

Case # 17-08 Preliminary Site Plan – Martway Mixed Use

Clockwork Architecture+Design – Public Hearing

Ms. Sitzman: This is a preliminary site development plan for the Martway Mixed Use development. It's at 6005-6045 Martway Street. This application came before you back in September, at which time you made a recommendation of denial to City Council, based on concerns over height. The applicant chose at that time to rework their design and bring it back before you this evening. This is another public hearing since we advertised that second submittal. We also provided notice to neighbors within 700 feet of the development, which is not required by ordinance, but we notified those people of the first application when a neighborhood meeting was conducted, so we thought it was appropriate to re-notify them of the meeting tonight.

The subject property is currently occupied by three small offices. I will highlight the changes in their application tonight. As you can see in the plans, the applicant has removed one floor of the building, reducing its height. That has an impact on the parking requirements, so some of the requested deviations that they have made are no longer relevant. This is going to be Main Street District 2 zone and is also subject to the Downtown Johnson Drive Design Guidelines. The Comprehensive Plan calls for a pedestrian-friendly mix of mostly housing and limited office and retail uses in this area of town. It is intended to serve as a transition zone between truly low-density single-family homes and more moderate or higher-density, intense commercial activity along Johnson Drive.

As I said, there were a number of deviations requested with the original proposal. The MS-2 zoning district is a planned district and does allow for deviations to be granted. As I said, they reduced the height of the building, so I will go through those deviations and the impact on the proposed changes. Primarily, it is now a proposed four-story building with 117 dwelling units, which is a reduction of 39 units. All other elements of the site plan remain the same.

The first deviation they requested had to do with parking. That deviation is no longer needed as the required number of on-site parking stalls will be provided. That deviation

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no longer needs to be considered there because they provide all the required on-site parking.

There are some outstanding comments that were made by our consulting engineer about the traffic study, which really has to do with determining whether the ground floor will be retail or office uses. That is not a major concern or consideration because it's such a small square footage of the building that's contributing to those traffic generation counts. That can be addressed at final site plan.

The remaining deviations – there are seven of them – have to do with elements of the site plan that you would be familiar with from the previous presentation. They have to do with rear yard setbacks; there's no change to the requested deviation there. They are still asking for the rear yard setback to be waived because the site is adjacent to the city park and essentially has the required setback built into the land and the park.

The next deviation has to do with building height. They are requesting an allowance of four stories and/or 56 feet 3 inches. This is one less story, and 10 feet 9 inches shorter than previously proposed. The maximum allowed height in this district in the underlying zoning is three stories and/or 45 feet. They are primarily requesting this additional height because the ground floor of the site is impacted by a flood plain, such that they can't have residential or office uses on that ground floor. They must leave that space clear for potential flood waters to move through. So, they've designed the building so that the ground floor is parking, which is an allowable use in or near the flood zone. It essentially boosts the ground floor height above what a normal habitable space would normally be to allow clearances for those vehicles. And then, additional stories of height that they're asking for to accommodate the dwelling units that would otherwise be on the ground floor. Essentially, they are offsetting the loss of the ground floor development due to the flood plain.

The next deviation has to do with minimum lot area per dwelling unit. This has been reduced somewhat because of the change in unit count, essentially changing the count on density. There are also several deviations - deviations 5 to 8 – from the original staff report that have to do with permissions to pursue an alternative design, buffering and screening on the site. Basically, they all have to do with parking lot setbacks, parking lot buffering, site trees, or interior open space. Those were all elements that could be designed to still accomplish the intent of the code, but to do it in a way slightly different than what our ordinances would customarily lay out for number of feet between things, etc. Generally, staff is amenable to an alternative design. We feel that the design of the parking underneath the building is a desirable feature, a slightly better design product in the first place. So, staff would recommend that the alternate design be allowed to be pursued as part of the final site plan to accommodate those alternative site planning elements.

I think that covers the deviations. Like I said, parking is no longer relevant, and we've adjusted the density and height considerations accordingly. As you know, because of this planned district, you can consider those deviations. There are findings that need to

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be made in order to allow them, so you can consider those as part of your deliberations this evening. Eventually, the application will be followed up by a final site plan, which is the point at which we would do a more in-depth review of the actual architecture of the building, evaluating it against the Johnson Drive Design Guidelines, for instance. Also, following up with those open questions that still remain about traffic impacts and stormwater design. Olsson & Associates is our on-call engineer and they have reviewed the preliminary studies for both of those elements. They are generally satisfied with the preliminary design, and just ask that we reserve the right to make future comments on some of the elements of those studies that are still to be determined.

Just to note that there would be some off-site improvements required in the street scape. That is a requirement of the developer, and we would review their design for things like the impact to the Rock Creek trail in this area. There would also need to be a private sign criteria established. Both of those things can be taken care of at a final site plan review. Including the staff report is findings for consideration for a final site plan. We do feel that the requirements have been met for a preliminary site plan, not final. Excuse me.

So, to update the staff recommendation, we removed the deviation for parking, but staff does feel that the proposed plan conforms with the Comprehensive Plan, meets the overall intent of the MS-2 zoning district, and complies with the required findings for the planned zoning districts and preliminary site plans. Therefore, we are again recommending approval of the plan to the next City Council meeting, with the seven requested deviations. There are two additions included in staff's recommendations that have to do with the final traffic studies, and provide additional comment on ADA, storm drainage, and flood plain-related concerns. And then, a final condition having to do with requiring adequate right-of-way for the required street scape elements.

That concludes staff's report. With me this evening is our land use attorney, Pete Heaven. He is available to answer questions.

Mr. Brown: Mr. Chairman, sorry to interrupt. At six o'clock this evening, Commissioner Babcock called and asked if I would meet him at the site to satisfy some concerns he had regarding some comments that were made at the last meeting regarding lights on the houses across the creek. So, we didn't discuss the item at all, we just rotated back and forth between somebody's headlights shining across the creek and the other person standing on the other side of the park. So, for full disclosure, we did that on our way to this meeting.

Mr. Babcock: Yeah, that's accurate.

Christian Arnold, Clockwork Architects, appeared before the Planning Commission and made the following comments:

Mr. Arnold: Good evening. We can quickly go through these. There aren't significant revisions, other than the major height reduction. When we visited in September, there were a number of concerns that were voiced, largely from the residents on 61st Street.

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So, we are hopeful that this evening, with the revision of the reduction in height by one full floor, that that is reasonable, and that we are trying to be as aware and accommodating as possible.

Some of these are the same as before. For anyone that wasn't able to attend last time, we do feel like there is a change in housing preferences. We feel the site is still nicely positioned in a walkable community. To meet the growing demands, I think a lot of the people who are here, the residents that are here, tend to be single-family structures, homeowners. There is a changing demographic, and creating housing in this neighborhood will allow this area to continue to grow. With what we're seeing in most cities around the metro area, that you don't lose those residents as they get to a certain population, or younger residents that desire this type of housing. That housing does require more density, as you might imagine. As Danielle mentioned, we are requesting less density than was previously approved on the Mission Trails project, so hopefully that is a good thing for everyone here.

Also, it was brought to our attention that, unbeknownst to us, the *Shawnee Mission Post* put together a survey a couple of days before the last planning commission hearing, and it was refreshing to hear that, you know, in their informal survey, that a majority of people felt like this project was a great fit, or an okay fit. What ends up happening, unfortunately, is that people who are happy with the project don't really show up and support it. We kind of hear from people who are struggling with change.

All of the other attributes of the project are still intact – the amenities of the park, the pool, city hall, community center, Rock Creek trail. Buildings continue to lose tenants. 6045 is about 80 percent vacant now. The other buildings are at 33, 65 and 75 percent vacancy across the board. So, it's only a matter of time before the buildings become mothballed. They are not commercially viable in their current state.

As Danielle mentioned, we're kind of stuck in this tricky position where we've got to get the building out of the flood zone. It doesn't necessarily have to be as high as it's shown right now, but when we met with the fire department to get access to the back of the site, they established where that line of the first floor would be. So, we're looking at a three-story, but pushed up to get out of the flood zone and out of the way of fire department equipment. That's how the building height, scale and mass is working out.

As you might imagine, taking a floor off a building is significant. We're still getting our arms around that. We're getting updated cost estimates. General numbers, the lost gross revenue for the project is about \$600,000 per year. Obviously, that has a very significant impact on appraisal and future taxes. I don't think that with new construction, that anything less is going to be financially viable, so we're right at that threshold. We're optimistic, again, because of the location and the positive feedback we have received in the past, and in working closely with staff, that this still is a project worth pursuing.

All of the makeup is very similar to what we discussed before. Because of the lower density, all parking is on site now. Height and parking were two big concerns that came up last time. So, now that we have 39 less units, all parking is on site, which makes it

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pretty easy. One deviation that is requested is on the west parcel. We're working with our civil engineer to see if that can be pushed over. We think it can. Right now, what's driving that infringement on the west property line is really the turning radiuses of the fire trucks underneath the podium. So, to miss the columns and get around, it's pushed that last row of parking over. There's a section right here. This is the adjacent parking lot. When we met with Kathleen earlier, we talked about, you know, there's a little strip of landscaping, or grass, or gravel – I think gravel? Grass? - between the two. Since it's not very generous, we talked about getting rid of it. I think Kathleen was concerned about that. We do have our parking right up to that. So, we have parking, a four-foot strip of grass, and another parking lot. These columns right here are what are preventing us from pulling this parking over. We're hopeful that we can take it right out of this connection here and actually pull that back. If we're able to do that between now and the final site plan, those two deviation requests would go away. But, right now, that column is driven by where the fire truck turns are. We're still trying to refine that. That's kind of where we stand right now.

One thing we wanted to do is pull the building away from the property line. So, rather than pushing it right up to the property line, we have it pulled back between 20 and 40 feet, just so that a lot of light will get into the building through the windows along that edge.

Here is the revised elevation, similar to where we were at before, but with one floor less. Right now, we're in line with the Mission Square project, where it's three stories on top of their parking structure. We're significantly lower by a whole floor from the Mission Trails project. Here are the views that we updated, looking from the south. Here's the updated view looking north. Light poles look like they're taller than the building. Here's the view from the flood way, and here's the views in comparison. So, as you can see, we're about the size of Mission Trails' parking structure in terms of scale. Here is how the elevations look on the site. Here's Martway, here's Mission Square, and here's Mission Trails, in relation to each other.

Here are the revised views from the street, showing the floor removed. Here is another view. A majority of the residents along 61st Street are not able to see the property. It's really just the ones that are right across from the park. So, as you can see from those views across from the park.

Once again, we are pleased that we have staff's approval. We hope that the changes that we've made and addressed, kind of a major concern in trying to reduce the height of the building. As we mentioned, we're going through all the other updates, the costs, operating performance, and things like that. Any questions?

Mr. Babcock: Go back to the one that showed the building footprint. I think you said 40 feet from, you pulled it back from the parking line.

Mr. Arnold: Well, we did that before. We already –

Mr. Babcock: I'm just looking at it right here.

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Mr. Arnold: So, that's 40 feet from the property line, and this is 20 feet.

Mr. Babcock: And how far is it from the street?

Mr. Arnold: This is probably 15 feet. Rock Creek has to be preserved, so that kind of sets that dimension. And then, we're pulling it back a little further for doors of the retail and office spaces.

Mr. Babcock: Okay. You said it's a full floor less. As far as altitude, what's the difference between Mission Trails and the EPC Building? In height?

Mr. Arnold: I think it's about 12 or 18 inches taller than Mission Square, and it's a full floor, so, 11 feet shorter than Mission Ridge.

Mr. Babcock: But the ground drops off also.

Mr. Arnold: Oh, yeah, well ---

Mr. Babcock: What I'm getting at is, what's the actual altitude?

[Overlapping comments.]

Mr. Arnold: *[Inaudible]* [0:20:49] It's 40 feet shorter, or something -? It's hard to see on that scale. You can kind of see proportionally whereabouts the second or third level is.

Mr. Babcock: Yeah, I just wanted to hear it.

Mr. Arnold: I would guess, ballpark, 30 feet lower.

Mr. Babcock: Than the EPC Building?

Mr. Arnold: Yeah.

Mr. Babcock: And then, how much from the Mission Square building?

[Multiple overlapping comments.]

Mr. Arnold: It's right, off to the left there. They're all in there. It's hard to read. There we go. So, the Martway site, the Mission Square site, Mission Trails site. So, we're 24 feet lower than Mission Trails, and then, the top of the building would be 31 feet shorter than Mission Trails.

Mr. Babcock: Okay. And when you're looking at the parking lots, when I drive over there currently, I drive into the existing parking lot. Is that the same level that your parking lot would be, or is that going to change?

Mr. Arnold: It's going to change. It will be pretty close to where it's at. We have to be very-

Mr. Babcock: What's your definition of "pretty close?"

Mr. Arnold: There are some low spots, there probably won't be much low spots.

Mr. Babcock: I mean, are we talking a foot, or five feet, or -?

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Mr. Arnold: Oh, no. Within a foot. We're not able to adjust the grade too much because of the flood zone. If we adjust the grade in the flood zone, that triggers engineer work.

Mr. Babcock: When I read this, the way I read it, I don't see any landscaping. Can you talk about landscaping around this building? Because, like, for instance, you're looking for a deviation of the one-tree-per-20-parking spaces.

Mr. Arnold: Yeah. That's typically for, like, a surface parking lot. We have a building over the parking lot, so it would be less practical to put trees under that. I know that you know that, but I just want you to know that some of those deviations are not for mixed-use development that have parking.

Mr. Babcock: When I read this, it [0:23:27].

[Multiple overlapping conversations.]

Mr. Babcock: I get the feeling when I read this, I picture glass and concrete. I don't picture any green space. So, I want you to tell me what you're going to do about it.

Mr. Arnold: Okay. One of the things that we decided, that we like about this site, is because of the landscaping around it. We're keeping the landscaping and supporting everything that's along Rock Creek. So, we will have trees and grass along the front of the building. Everything on all sides of the building, there is landscaping, as well. We're just not showing any landscaping inside the parking lot, under the building. We have a landscaping plan that kind of shows all of that stuff that wraps all around the site, like any normal project would.

Mr. Babcock: Do you have something that you can -?

Mr. Arnold: Yeah. So, all of the notes are going to follow the landscaping along all sides of the project. So, about 10 to 15-foot buffers in areas, parts of the back. There is a section right here where we're right up to the property line, so we're not putting any landscaping there. But we do have the creek buffer that's right behind it. It's about 25 or 30 feet. And then, we have landscaping and plants along the front. Over here is a sidewalk that runs along for egress from that stair, so people come out of the stair and go over here, and walk along that edge of the sidewalk. Currently, we're not showing anything here, but as I mentioned, if we're able to get our civil engineers to tighten this up at all, we might be able to get that buffer back. So, instead of being a four foot, it will be more of an eight foot.

Mr. Babcock: If I remember right, we actually have extra parking places. Is there any possibility, where there is a bump-out, to stick some in there?

Mr. Arnold: Yeah, and that's one of the things where, worse-case scenario, we slice out a row of parking all the way through here – one, two, three, four – and then this whole thing pulls in, in addition, you know, similar to this. We could pop something in here or here, as well. Create a little buffer along there.

[Multiple overlapping conversations.]

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Mr. Babcock: The last thing I have for you is, what would you be willing to do on the City side to offer screening, or talk about screening between the residents to the south and what you plan to do between your parking.

Mr. Arnold: Last time we met, it was a lot easier to be generous because we had an extra \$600,000 a year in gross revenues coming into the project to kind of subsidize some of that. Now, I think the conversation is still open. We'd be open to what that would be. I just don't know what it is at this point. The project performance is in a very different place, as you might imagine.

Mr. Babcock: The last question I have is for Pete. Pete, I tend to be a black-and-white guy. I mean, we've got rules. For instance, the rules say max allowed stories is three stories. But, we all know there's a gray area here. The thing is, usually it's one or two deviations. In this case, we were asking for nine, and now we're asking for seven. Can you discuss how you handle grayness?

Pete Heaven appeared before the Planning Commission and made the following comments:

Mr. Heaven: The deviations that we have in our code are to give you flexibility, to prevent the black-and-white decision. In large part, it depends on the complexity of the project. And then, you couple with that whether it's an infill or a redevelopment project where you have much more challenges than a grain field development. In a grain field development, we would basically say, "Here's the code. Follow it." But, we're dealing with what may be an attribute to the community, something that the community wants to see. In an infill basis, deviations are always going to be asked for. The nice part about our deviations – there are four criteria you must find for each deviation – is they are really stated in the negative and not the positive. That's where your black and white comes in. If you find that a deviation does not affect property owners, then you can grant the deviation. If it doesn't adversely affect the public health. So, it's sort of stated in the negative to make it easier for you to make that decision. But, I've seen some projects where you've had 20 deviations, and each of them must stand on their own, and each are separate. In this case, yeah, there are seven, but they're not really cumulative. They're all separate areas that can be easily divided.

So, I know that doesn't answer your question. I wish I could give you a simple one. But, it's based on the complexity of the project.

Ms. Dukelow: I have a question relating to the landscaping. So, while we have that up, I think that would be, while we're still on this particular image. My question has to do with deviation #5:

5. Approval of the requested deviation to waive the 6' parking lot setbacks along the west property line. Alternative screening of the area should be provided for consideration with the final site plan.

Ms. Dukelow: It seems to me that we're not really waiving all of the buffers because there is a considerable amount of landscaping both to the south and the north. I just

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want to clarify that, because I don't want to request a deviation to waive parking lot buffers for the entire site, and then, lose what landscaping is able to fit on the site, which is, in fact, helping to buffer the parking. So, I'm looking for a clarification.

Mr. Arnold: We're able to accommodate it everywhere except that western parcel, the western property line. We looked at it, and there is a parking lot for about half of it. So, as far as screening, the buffer is between two certain spots. That's kind of why we're trying to push it over there, if there was something else of greater value or a different use there. But, that four-foot buffer would screen a parking lot from a parking lot. So, I think it's kind of like, you know, how do you weigh that out?

Now, like I said, if we're able to pull that over and tighten up that turning radius for the fire engine, we wouldn't need that deviation at all. But, that's the only side that we weren't able to get that buffer.

Ms. Dukelow: So, would it be appropriate to – this is a question for staff – to wordsmith that? Or should we just leave it for simplicity at this point?

Mr. Heaven: I would recommend wordsmithing it. If you wish to grant the deviation from the west boundary only, the setback or the buffer, you can do that. You could also grant a deviation to the extent necessary to accommodate this landscape plan. So, in the area where there is more than four feet, there would be no deviations. And if there are other smaller areas where there wouldn't be four feet, you could grant him that. So, for simplicity sake, I think based on what the applicant just said, I would deviate the west line only.

Mr. Troppito: To Pete's point about public health, the last time I asked you about the chromium content that was shown on your material boards, and whether or not you have an opinion by professional environmental engineers, or an industrial hygienist, who could speak to that, whether or not it is a health hazard. Have you gotten that?

Mr. Arnold: The manufacturer has confirmed that it meets all building material requirements, and that the materials that they use in their products, both notes, um, concerns or, or safety issues to the public.

Mr. Troppito: So, in other words, no.

Mr. Arnold: No, the main factory does stand behind their product.

Mr. Troppito: The question was, do you have -?

Mr. Arnold: An independent source? We have not engaged an independent source to look at that material. The actual material gets approved in the final plan. These are representational of what they could be. There's a very good chance that through the planning and budgeting process that those materials could change because we need to adhere to the Johnson Drive guidelines. All those materials come back in the final plan submission. We don't select actual materials just yet.

Mr. Troppito: Well, let me just restate – for the second time – that I would like to see a professional opinion, not just the manufacturer's opinion. I would like to see a

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professional opinion from a registered professional environmental engineer, or a certified industrial hygienist, as to whether or not there are any adverse health effects that can be expected from the chromium content of the Nichiha board product.

Mr. Arnold: Yep. There's a good chance that that material won't be in the project when we come back with the actual material samples. But, in the event that they are, we will get that covered.

Mr. Davidson: For the record, the City swimming pool is south of the facility. Through that new pool construction process, we talked about – and again, I just want to throw this out for conversation – we once talked about a pedestrian bridge over the creek, you know, from Sylvester Powell, which this property right here obviously is built right there. The possibility of, through this project, you know, maybe addressing a pedestrian bridge, if that is something that could be a part of the project. Obviously, it would have to be designed and the logistics would have to be worked out. That's just for the record.

Mr. Arnold: I think we're open to that idea. I was getting mixed signals at the last meeting, where some residents didn't want anyone else to use the park. They just wanted their access to it. So, I would look for guidance as to what to do there. We like the idea, but we also don't want to upset residents.

Mr. Davidson: I wasn't at that October meeting, so I wasn't there to hear about that.

Mr. Arnold: Okay. That was my take on it, and that's why I liked the idea of a connection. But, some of the residents on that street did not like that idea.

Mr. Davidson: I can just see, like, summer campers coming from Sylvester Powell, and they've got to walk all the way around the facility, all the way around the police station.

Mr. Arnold: Absolutely. Agreed. And there is an area that is on the southern corner here that used to be part of the parcels that was given to the City. So, there's kind of a natural point across there. But, there could be others, as well.

Mr. Davidson: That's all I have.

Mr. Brown: Could you put up the south elevation? At the parking level on the south façade, what do we have there that would be adjacent to what is now the tennis courts?

Mr. Arnold: It might be easier to see if you go back to the landscaping plan. Right now, there is a landscaping buffer, and then parking.

Mr. Brown: There's going to be some [inaudible] in this neighborhood right here, where there is no landscaping because you're right on the property line. So, what, if any, is the building façade material is at the parking level?

Mr. Arnold: There is no, it's just parking level -.

Mr. Brown: And that was for the reason of free-flow for flooding? Or, what is the purpose of not shielding the headlamps of the cars that are parked in there?

Mr. Arnold: I think there is a [inaudible]. I think, largely, it was just given the way the engineers laid out the parking lot, to try to get spaces along that back side. Is there a

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potential to put a thin buffer there and do compact car spaces along that back side? I think that is possible --.

[Overlapping comments.]

Mr. Brown: -- buffer as much as a screen for headlamps.

Mr. Arnold: Yeah.

Mr. Brown: So, any material that would stop that, that would be compatible with the building, that would, in my opinion, be appropriate at that location.

Mr. Arnold: Yeah. In that area, we have to be careful because we can't put things in the flood zone that impede the flow of water. But, in the event that we could, I would be open to that. You could probably look down and see the headlights if you're above. Is that correct, or -? You mentioned you went over there?

Mr. Brown: Yeah. Well, it depends on which vehicle you're driving, right? My truck sits up much higher than Scott's car. In the case of his vehicle, you know, it was kind of pointing down, so, when the headlamps were on normal, you didn't see them so much, with the exception of the house that's immediately adjacent to the creek. That shines right on their back wall. But that's more southwesterly anyway, on the other side of the north/south tree count. But, just an attempt to shield those headlamps, whether that be a flow-through louver of some kind, etc. It doesn't have to be anything arduous.

Mr. Arnold: Yeah, I think we're open to that. If you look at the topography, it seems like it's about 20 feet lower than those houses, so you won't have headlights shining into things. But, you will be able to, if you're standing on top of the hill, of course you can see the lights over there. But, I think we're open to figuring out how to be good neighbors and screen that in an appropriate manner.

Chairman Lee: With that said, we will open the public hearing.

The Chairman opened the public hearing.

Adam Dearing, 5711 West 61st Street, appeared before the Planning Commission and made the following comments:

Mr. Dearing: I have two concerns. I brought up a few things in the last meeting. Right now, I still feel there is a real elimination of surrounding green space. I think it was mentioned earlier tonight that most the deviations take up a lot of that green space area, with no trees given the parking under the building. That's understandable, but the surrounding area, it is quite limited.

Secondly, with the majority of the deviations being for those setbacks that could be green space, I'm curious if those deviations are not allowed, how that reduces the

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parking, which would also then possibly be a deviation. I'm curious what that looks like, if those deviations were not allowed.

Mr. Arnold: I can answer those quickly. Just to clarify, the only reduction of green space is that western edge that we talked about, which is the four-foot buffer. And, as I mentioned before, we're committed to seeing if we can put that back into it, so there is no other elimination of green space. That would not affect the parking because we have more parking than we need.

Sarah Hinkle, 5711 West 61st Street, appeared before the Planning Commission and made the following comments:

Ms. Hinkle: My main concern is still the height of the building. I know it's about 25 percent taller than the code, but the way the area is described, it's a transitional area between low-density single-family homes and the commercial side on Johnson Drive. But, I don't consider transitional to be a project that's 25 percent taller than City code. That's my biggest concern.

Dan Aldrich, 6001 West 61st Street, appeared before the Planning Commission and made the following comments:

Mr. Aldrich: Good to see you guys again. Height is the deal. I still think that's the deal. It has been a deal, and it's a game-changer for residents. What is it now? About 50 feet tall? It was 60-some. So, it's 56 feet tall and it's 300 feet from somebody's house. I really don't need to say any more than that to point out how ridiculous that sounds. But, it's true. You're talking about 56 feet high, 300 feet from somebody's home. And I didn't move into Mission 28 ½ years ago to have somebody building something like that next to my house. So, before we start granting deviations to height like that, at that scale, that close to somebody's residence, I think there needs to be a lot more done, at least at a park board level, or something, before we consider anything that silly. To me, it sounds silly.

Light pollution is still a major deal to us that live on 61st Street because those porch lights of all those residences are going to be on and shining into homes. It was a good point on the headlights. I really like what we did with the pool because us folks that live here, you know, dealt with the whole pool thing, and supported that. That's great, building up a berm like that to protect the lights from hitting people's houses. That's a great idea. This thing being 50 feet high with lights and all, that close to people's houses, I still can't fathom you guys considering this in its current form. And if it wasn't feasible, you said it wasn't feasible to go anything less than five stories, right? Is that what we heard? And now, four is okay. I mean, I'm just flabbergasted that we're at this point. So, thank you for hearing me.

Bill Nichols, 6019 West 61st Street, appeared before the Planning Commission and made the following comments:

Mr. Nichols: First, I want to thank the four newest best friends forever for peeling me off the sidewalk this evening. I missed a step. It's hard for me to get up anymore. I'm

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curious about something. Tonight, I went and shot the elevations at the driveway entrances for AMC. There's an eight-foot difference in elevation. The west side is 910 feet. The "C" side is 892. That's at dashboard level. Now, my understanding is the deviation is one foot, maybe two. Where is it? Is it nine feet? Ten feet? I don't know, because I haven't kept up with this.

Now, as far as the light pole issue. It's more than just headlights. We've got all the lights on the building shining onto the parking lot. And last time I talked about flat lenses and what-not, that needed to be addressed, please, because it does affect us on 61st Street. I don't remember seeing anyone in here that was in opposition to the five-story along Johnson Drive. There could be. I didn't see them. Again, maybe there was.

Unidentified: Yeah, there was. There were eight of us here.

Mr. Nichols: I do remember now. [*Laughter.*] I think that had to do with the apartments next to Sylvester Powell Community Center. Yes?

Unidentified: And Mission Square.

Mr. Nichols: But had nothing to do with 10-story single-family residents. Just us. I don't have much else on this. I just don't think it's a good fit. And on social media, we – or at least I did – asked for the developers to meet with us. I didn't hear from them, but that's their business. Thank you very much.

William Wilson, 6180 West 61st Street, appeared before the Planning Commission and made the following comments:

Mr. Wilson: I'd like to back what the other guy said, that it's still too tall for the area. I didn't buy a house on that street to be looking up into somebody's bedroom window, balcony, or whatever. And porch lights, and security – Yes, I agree, it has to have security lights, but I don't want them on the back of my house, or in my living room.

The other thing is, the paper I got in the mail said the waste receptacle for pick-up was going to be on the southwest corner where the houses are. Why would you put trash by somebody else's neighborhood when they could put it down by City Hall? Or where the buffer is on the planting spaces for the swimming pool. The question is, can you move the trash cans someplace else if the building is actually going to go there?

Ms. Cuppage, 6220 Martway, appeared before the Planning Commission and made the following comments:

Ms. Cuppage:

I'm back. And I really feel for the people on 61st. We're at Mission Square, and we have exactly the same concerns we did about the amount of parking on Johnson Drive. Same concerns. We didn't like it then, and we don't like it now. I looked over all the questions and answers, and I'm not going to go into all the questions I had, or the answers, which really changed. The deviations are worrisome. I also noticed that the architect said, I'm not an English teacher, but "it might be possible," "I think," "We could," "I'm open to that," "It might change, but -." Do we really know what he's going to do? Maybe we do,

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maybe we don't. I think you should know exactly what he plans to do. Not maybe moving to the west, maybe moving to the east.

Many communities now have second thoughts about density projects. They're supposed to enhance the income of the city. I still haven't heard anything about that. We already have one such project from which no property taxes will be collected for many, many years. We have been told that this will have no impact on the taxes of the other residents. We are included in that at Mission Square. We've also been told that the sales tax generated by the new residents shopping on Johnson Drive will compensate for that money. Maybe it will; maybe it won't. I suggest we wait and see. In five years, if Mission Trails is fully occupied, if the City can improve that the sales tax generated by these new residents shopping on Johnson Drive is equal to the money that taxpayers are going to be losing, or we're going to be paying, extra, then maybe it's time to build another one of these density projects. But, if you've been reading your newspapers, I think you've seen they're not all as wonderful as they have been led to believe. I don't want to name them all, but, there you are.

It was also hinted at one time that we seniors wouldn't have to worry about it. The comment was that we wouldn't be here in five years anyway. Well, I'm here to tell you, we will be. I may not be here, but Mission Square will be filled with wonderful residents who shop right there on Johnson Drive. And we intend to do that. And we don't have cheap property over there. I think we had a tour of the Planning Commission. I don't know if you came, or if it was City Council, but we're concerned about what's going to happen with this. I read nothing in the information that was given to me. It said that if you rent for market price – I have no idea what "market price" means. How many of each? How many studios? How many bedrooms? How many two bedrooms? Size of the balconies? We have wonderful balconies at Mission Square. I think there are too many questions on here to say go ahead with this project. I think they need to come back again, and maybe again. If it's that important to them and this is such a marvelous project, then I think we need to hear more. And I definitely agree with the green space. It's gone. And maybe we can be an example in Mission, that we aren't going to do what everybody else does, and we're going to keep this a green space. Maybe find something else for that area on Martway.

Kathryn Koca, 6220 Martway, appeared before the Planning Commission and made the following comments:

Ms. Koca: I am also a Mission Square resident. I have been here before, and one of my main concerns is still my main concern, and it's about the traffic on Martway. We do not have an entrance to Martway except through the Sylvester Powell opening. I can see that once the Mission Trails project is built, we will have a tremendous problem getting out onto Martway, especially making a left turn onto Martway. So, my concern is when you do your traffic impact analysis, that you please include the impact of the Mission Trails 200-whatever cars that will be coming in that way.

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Also, my other comment is in support of the residents on 61st Street. I heard tonight that they didn't want their park to be used by other people. I heard what they said. What they said was that it would be overused, and there would not be availability for all the residents of the city. Those are my concerns. I hope you consider them.

Brad Ware, 6009 Outlook, appeared before the Planning Commission and made the following comments:

Mr. Ware: I live up by Martway and Outlook. My first question is, it's my understanding that these people own the property now. Is that right?

Mr. Arnold: Yes.

Mr. Ware: I was wondering if we could count on them maintaining the new property like they're maintaining that falling-down, overgrown fence line that butts up against the creek right now. It seems like they don't care about it right now.

Another thing is, when I was in grade school, I had to walk down 61st because Martway wasn't there. I've seen quite a few changes here. I did see a picture of this, and it does look like a behemoth. You know, I realize they're in this to make money, but, you know, it seems like sardines, packing them in as tight as they can. It just doesn't seem like a fit. We walk our dog in the park quite a bit, and if you've got this thing right across the street to the park, the park is going to be totally different. It's not going to be enjoyable at all.

As far as residents, we've kept quite a few apartments up where we live, and we've seen some strange things. We had one guy out there yelling at traffic. We watched another guy break into one of the sliding glass doors on Martway. So, I don't know what we're going to get. If we had a guarantee of normal people coming in, that's one thing. That's the unknown. I just don't think it's all that great of a fit. They originally asked for five stories. Well, it's the art of the deal. You ask for a lot more than you're really willing to settle for. So, maybe they're just happy as they can be with four stories. Anyway, I just hate to see us become a crowded [inaudible]. Thank you.

There being no one else who wished to speak, the Chairman closed the public hearing.

Mr. Arnold: I jotted down a few of the comments; hopefully I can address them. From the last meeting, we did the same. We jotted down all the comments and responded in writing, sending them back to everybody that was within that 700-foot radius. Also, the gentleman mentioned reaching out to us on social media. In the letter I sent out, I encouraged anyone that wanted to visit with us to reach out directly. I didn't see the social media; otherwise, I would have contacted that individual.

Obviously, there is still a height deviation request. Our goal was to try and be flexible. The woman that mentioned that, you know, that we're open to comments, and that we are trying to make this as good as we can, that's really just a demonstration of what we want to try to do to get a good project here, and that we are trying to be flexible and listen to the residents. We are not trying to stand up here and say this is the way this

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has to be. So, some of the comments that we're trying to be flexible, I'm sorry that they were not perceived in the right light.

The gentleman that had the question about the headlights, I think we already talked about it. We are open to trying to create a buffer along that back side. Hopefully the landscape, we'll do more of that. As a reminder, you know, there were probably some residents that showed up to protest the Mission Square project, given that it's about the same height as what we're proposing. If that project would not have been approved and moved forward, a lot of the people here would not have a place to live right now. So, sometimes change is hard, but hopefully development creates a community –

[Overlapping noise and comments from the public.]

Mr. Arnold: -- and hopefully, it's a way to recruit younger people to the community that are looking for Class A apartments.

There was a question about the trash. Right now, it is located in an area that is not in the flood zone. We did look at a location that was more concealed, but it was in a flood zone. The engineers said we had to move it out of the flood zone.

Chairman Lee: *[Bangs gave!]* I would ask that we, if we're going to have conversations, that we step outside, and not be interrupting.

Mr. Arnold: We also have to be careful because the way the trash picks up, it has to be outside from under the building. So, it almost has to be in an open space so they can lift it up and dump the trash. So, there are some areas that we can put those.

There was a comment that there was not enough information on the plan about the sizes of the units. All of the units are shown on the plans, the square footage is shown, the bedroom mix is shown, which ones have balconies, which ones do not. All that information is there.

There was a comment about the green space being gone. There's more green space being proposed than is there now. Keep in mind, it's all buildings and surface lots right now, so we are creating a buffer. There was a comment about the maintenance of the property, being overgrown. A lot of that is actually in the floodway. We have tried to maintain the front of the property for nice street appeal, hoping that will attract tenants in the meantime. The property is currently losing money, so we are very limited on how many resources we can put into maintaining the maintenance and landscaping. But we try to mow, trim trees, put in new lights, and things like that, that cover the basics. But still just being more and more vacant, and losing more money, you know, as you might imagine, it's difficult to run a business that way.

We are planning to build Class A apartments, so hopefully we deliver a quality, affordable apartment project to the market that will attract the right kind of residents. I can't guarantee "normal" people, but we would sure we would get "normal" people. I think that's all I have. I'd be happy to answer questions.

Chairman Lee: Any questions?

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Mr. Brown: I have a question. Would you address – and this is a term I’m unfamiliar with – Mr. Nichols, what did you mean when you talked about “flat lens,” and does the architect understand what he’s talking about? And, is there a way to redesign the windows, or -? I assume it has something to do with the windows.

Mr. Nichols: Basically, light pollution.

Mr. Brown: If you wouldn’t mind coming up and defining what the term “flat lens” means, so I understand what you’re talking about. And if there’s a way to address it.

Mr. Nichols: A little background on that. Someone put a pole across the street from my house, and for about 35 years, we had a big night light. And I asked the electrician when he came over if there was some way to fix that. He said, yeah, they would put a flat lens in. Which means that’s the light, and that doesn’t shine in all directions, it shines straight down. With this project, yeah, it would be nice for the parking lots, but what I was referring to particularly are lights on the buildings themselves, shining into the parking lot. Which means shining over on 61st Street. Now, we’ve been there 47 years, and I know most everyone else has been there a long time. It’s just a matter of, we don’t think this is the right thing for us. But, it’s up to you guys. And the Council.

Mr. Brown: Thank you, because I had it completely wrong in my head. I assumed you meant the windows were creating some sort of lens.

Mr. Arnold: So, to answer the question, yes, all of the lighting would be directed down to provide the necessary egress lighting. We’re not going to have lights shining onto 61st Street. You will see, just like if you go up and down 61st, the windows of the residents. You’ll see [inaudible].

Mr. Brown: So, like balcony lights on that side of the building shining down, and you’re not going to have a spotlight.

[*Overlapping comments.*]

Mr. Arnold: There’s none facing the balconies. The balconies are on the north side.

Mr. Davidson: I have a question for you, Danielle. I’m sure it’s on that plat, but what is the, the type of foundation/elevation on the first two homes, let’s just say, to the south of the tennis courts? And the elevation of the actual, to the southwest corner of the parking lot?

Ms. Sitzman: I’m sorry, Mr. Davidson, I don’t know if I have those exact measurements. I had looked at some other ones that had to do with the bathhouse and the street elevations adjacent to the bathhouse. There definitely is an elevation shift. Let me see if I can pull up --.

Mr. Davidson: On that first plat that you had, is there not -?

Ms. Sitzman: I don’t think --.

?: Are you talking across the street -?1:08:39

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Mr. Davidson: No, I'm talking to the two homes directly to the south of the tennis court, behind the creek.

Ms. Sitzman: You mean west of the tennis court?

Mr. Davidson: I'm sorry, west of the tennis court.

Ms. Sitzman: I'm not sure I have that at my fingertips.

Mr. Davidson: My concern, I just wanted to know what the difference in elevations, on the first floor elevations of those homes versus the parking lot that Jim and Scott were talking about, as far as lighting is concerned. And, their relationship to those homes versus a 56-foot, 3-inch structure. If it's 20 feet, you know, a lower elevation, then it's actually, you know, a 36 foot tall building. So, I just wanted to know that, just to get a better feel for the height.

Ms. Sitzman: This is going to show you lines at 10-foot elevations. So, the tennis court and these first lots, there's not a lot of elevation change in this area. But, how that compares to this side, I don't know that I can tell you that off the top of my head.

Mr. Davidson: Okay. I just thought it was there --.

Ms. Sitzman: Probably the best exhibits are the views they provided. Those were taken from street view across the area and kind of give you --

Mr. Davidson: Can we go to the slide that you have? Which were very helpful.

Ms. Sitzman: So, some of these views.

Mr. Davidson: The one where you -- That one right there.

Ms. Sitzman: This is the tennis court, these are those lots you're asking about. So, those are the views from the sidewalk or the street level.

Mr. Davidson: That's what I'm talking about, if you go back -- I can't tell from the photo.

___: While we're on the 56 foot dimension, if we were to go back, and let's say there was no deviation being asked, the maximum height total would still be -?

Ms. Sitzman: Forty-five feet.

Mr. Davidson: I have one last comment I want to add as far as no lighting, parking lot lighting. I'm so proud of our Johnson Drive project and the beautiful street lights that we have, and the LEDs. You look down Johnson Drive and it almost looks like it's black. Meaning, you don't have any light reflection up above. Everything is straight down, and you don't know that you have the lights until you're underneath, you know? The concern as far as lights shining spots here and there, the LED lighting is set and it's engineered to focus exactly where it's supposed to go. So, that light pollution, in my opinion, is not a big concern. That's all I have.

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Mr. Braden: First of all, I was reading in the storm drainage report, it appears that we were adding less than 5,000 square foot of impermeable surface, and it didn't trigger any kind of remediation. What is that? I guess 5,000 is when you start doing --?

Ms. Sitzman: There is an exemption. The baseline is if you have more impermeable surface, you have to do something about slowing down that water. If you have some but not a lot, which is what that exemption says, if you have a small amount, you still don't have to do the remediation. That's probably a better question for Olsson to answer in more detail later, but this property being right on the floodway as it is, that infiltration, or holding it –

Mr. Braden: That's what I thought. Even though it met the 5,000 square foot --.

Ms. Sitzman: Right. Typically, you're able to look at the whole system and how it functions. So, there are some sites where it doesn't do your system any good to withhold water and put it in later. It's actually better to get the water in the main system before the big crest comes through. So, if you can get water in and flowing at the lower elevation, lower rate, that's obviously better. That would be a consideration in an overall flood study.

Mr. Braden: And then, two other questions. I think this came up in the first meeting. If we're in the flood plain, there can't be anything really developed on grade as far as occupied spaces?

Ms. Sitzman: Right, there are limitations because it's a flood plain.

Mr. Braden: So, anything that's going to be built there, the first floor can't be occupied space.

Ms. Sitzman: Right. It has to be flood-proof, so even if it does have water, it's not flooding items out into the creek, so cars can't move off-site. Things like that. So, yes, there are limitations because of the flood plain on habitable spaces.

Mr. Braden: The last question might be of the applicant. I keep hearing that we're losing all this green space. I'm trying to figure out where all this green space is that we're losing.

Mr. Arnold: I'm as confused as you are. We're not losing green space. We're putting in more green space than there is now. The flood zone presents challenges. I mean, this is a tricky site, and we're trying to go through all the things that we can. It's far less expensive to sit this building on the ground and build a three-story building that looks like all the other three-story apartment buildings in the area. If there wasn't a flood zone or a deviation from that requirement that we could build in a flood zone, it would be a very different conversation. But, we basically have a three-story apartment building in the flood zone so that fire trucks can get underneath it.

Bruce: You're building that tall enough to drive a fire truck under?

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Mr. Arnold: Yes. We had it lower, but we met with the fire department, and they requested that we raise it up. So, that pushes the building up to the height that it's at.

Mr. Brown: That was what? Three feet taller?

Mr. Arnold: Than it was before? Yeah.

Mr. Brown: So we would be talking about an eight-foot deviation if it hadn't been for the request to be able to drive a fire truck underneath there?

Mr. Arnold: Yeah. Or, we wouldn't have the first floor as high as it is and just be on pylons. Parking requires less, but we also have a mixed-use requirement that says the first floor needs to have some [inaudible]. So, for instance, we're about the same size as the parking structure for Mission Trails because the floor are taller height and the parking structures are so much less. So, in concept, if we weren't in a flood zone, you'd probably bring the whole thing down, excavate into the flood zone for parking, and without that requirement and the fire department requirement, we wouldn't have the need for the height deviation. Which is how we got a three-story building taller than you normally would.

Mr. Brown: If you know, was the property zoned and three-story put on it before or after FEMA put it in the flood plain?

Ms. Sitzman: That's a good question. I don't know the history of the flood plain, but it being right on the channel, I would imagine it's been in the flood plain for a long time. The rezoning happened in 2006 or 2007, so I would imagine the flood plain has been there longer than the current zoning. Seeing how the flooding events in Mission were in the early 90s, and a lot of the follow-up flood studies came from that.

Mr. Brown: The reason I ask the question is because we're constantly changing the flood maps, and we built in an impervious upstream place. So, that changes the maps. That's why I asked.

Mr. Bruce: Did the fire department explain why they needed access to the rear of the building?

Mr. Arnold: They requested it.

Mr. Bruce: The building is fully sprinkled, correct?

Mr. Arnold: It is. I think it's because of the park and the floodway on the back. They wanted to make sure they could access all sides of the building. That was their request. Because originally, we didn't have that.

Mr. Bruce: It just seems to be a little strange. On East Gateway, there is a parking garage at the rear of a very similar apartment building. I asked the specific question: Will that support fire equipment? The answer was no, that the fire department did not seem to have a problem not having access to the rear of those apartment buildings. So, I think it might be a little bit overkill.

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Mr. Arnold: I share that sentiment, and the Mission Trails project has some limited access, as well. We pointed out those things to them. We had three or four conversations and a meeting with the fire marshal. There were three or four people, and the codes administrator from the City of Mission. They all required it. So, we made that request.

Mr. Bruce: But they did not say an NFPA rule required it.

Mr. Arnold: I don't recall if it was NFPA, but they stated that – Do you remember?

Unidentified: Just clearance for a fire truck.

Mr. Arnold: Yeah. They referenced a requirement, but I don't recall if it was NFPA. It likely was. They brought their documentation, they presented that, and said it was the dimension required for clearance. So, we adhered to it.

Ms. Dukelow: I have a question. I'm noticing that first floor to the second floor is 20 feet and 9 inches.

Mr. Arnold: Yes, that sounds right.

Ms. Dukelow: The subsequent floors are 11 feet?

Mr. Arnold: Yes. That's correct.

Ms. Dukelow: You also mention the mixed use requirement on the first floor. Is that also triggering the additional floor height?

Mr. Arnold: The 20 feet is the fire truck. The fire department requirement is, I think it's 18 feet, and we added about two feet of infrastructure and building structure.

Ms. Dukelow: So, this is above the podium. This is the first floor to the second floor –.

Mr. Arnold: Those are all 11 feet. The floor-to-floor height is 10 feet, 9 inches and feet.

Ms. Dukelow: Oh, I'm sorry. That's my error. Thank you.

Unidentified: Mr. Chairman, am I allowed to ask a question?

Chairman Lee: The meeting is closed, ma'am. We will entertain a motion at this point.

Mr. Babcock: I'll take a shot at a motion, with amendments. I move to recommend to the City Council **approval** of Case #17-08 the Preliminary Site Development Plan for Martway Mixed Use development with the staff recommended conditions # 1 – 10, and with added conditions 11 and 12, as follows:

1. Approval of the requested deviation to rear yard setbacks to waive the requirement for a 25' setback along adjacent "R-1" zoned city property.
2. Approval of the requested deviation to height to allow a maximum building height of four (4) stories and or 56' 3" feet.
3. Approval of the requested deviation to waive the minimum lot area per dwelling unit to allow for the proposed design of 117 units or 116,931 square

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- feet of residential development in a mixed-use building.
4. Approval of the requested deviation to waive the 6' parking lot setbacks along the west property line. Alternative screening of the area should be provided for consideration with the final site plan.
 5. Approval of the requested deviation to waive the parking lot buffers for the entire site.
 6. Approval of the requested deviation to waive the site tree requirement based on parking spaces.
 7. Approval of the requested deviation to waive the parking lot open space standard.
 8. A revised final traffic study and final stormwater drainage designs must be submitted for review with the final site plan application. The appropriate data, text, maps, drawings and tables must be included per the Olsson Associates review comments dated September 20, 2017 and attached to this report.
 9. Staff reserves the right to provide additional comments or stipulations on development plans until all traffic, circulation, ADA, storm drainage, and floodplain related concerns have been addressed.
 10. Provide adequate right-of-way for the required streetscape elements. A minimum of 10' wide paved clear path is required for the Rock Creek Trail separated from the back of curb by a minimum 5' way planting zone.
 11. Trash receptacle needs to be moved or screened from residents to the southwest.
 12. Light pollution remediation needs to be maximized to the satisfaction of staff before construction begins through screening, landscape, and appropriate fixtures.

Ms. Dukelow: Second.

Chairman Lee: Call the roll, please.

Ms. Dukelow: Mr. Chairman, I would request a clarification to the motion. Were islands installed in the parking lot?

Mr. Arnold: On the west boundary.

Ms. Dukelow: West boundary. Thank you.

The vote on the motion was taken (7-1), with Mr. Bruce voting in opposition to the motion to approve. **The motion to approve this application carried.**

Planning Commission Comments/CIP Updates

Ms. Sitzman: This is a chance for you to provide any comments. Several of you are on the CIP committee. This would be a great opportunity to update you on the CIP

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committee and what's happening, and what should be happening next. So, if you'd like to take that opportunity -?

Mr. Babcock: I'm the chair of the CIP committee. I think at this point, we are a committee that is learning and in transition because we've got several folks that are having to bail on us. So, we'll look for appointments from the new mayor, I guess, to fill those vacancies.

Ms. Sitzman: The CIP committee has representatives from various boards and commissions, and there is some turnover happening on the Parks and Recreation and Tree Board. One of the next items they're going to be working on is to hear updates about, I believe stormwater, first off. There is a meeting coming up to discuss what stormwater needs, and the programming in the next five years, would be for the city to meet its stormwater needs. They will have two meetings following that each month on streets and how you maintain and prepare street planning, etc. And then, two meetings on parks. At the last meeting, we did a short presentation on what a Comprehensive Plan is and what your role on the Planning Commission is. We also heard a little bit about the Parks master plan. So, we started with that, went through all the areas the CIP covers, and wrapped back up with those elements. So, this is the first year that there has been a CIP committee, so they're all getting up to speed on what it is and how it works. Basically hammering out the next five-year plan. The Planning Commission does have to make a recommendation on whether it meets the Comprehensive Plan and if it's in conformance with the Comprehensive Plan. Eventually, it will be back before you, as well. Any other Planning Commission comments to share?

Mr. Babcock: I did make a comment at the last meeting that I think the Comprehensive Plan needs to be updated. Any thoughts on when that would start?

Ms. Sitzman: No. We know that that needs to be done. We started a Comprehensive Plan updating process, so we intend to get back to that. I don't have a calendar to tell you when and how we would exactly wrap that up. We're pretty close to the finish line on that, but there's probably still some public engagement that needs to happen over the goals and objectives section. So, it's likely that we'll have to ask for some additional funding or some outside resources to do that, as well. We're trying to do a lot of that process in house, but there's probably a need to get some outside expertise to engage the wider community. Anybody else?

Mr. Brown: Mr. Chairman, I think we still need to encourage a new study on zoning and density, and in particular, the type issue. Personally, I'm not interested in addressing any more deviations regarding height. I think we need to readdress that with the public in general and get a new direction and approach on that, because we've had two in a row now. They're not easy discussions. The public doesn't like them. We need to put that back in their purvey and readdress it.

Mr. Bruce: Mr. Chairman, I agree with Jim. The reason I voted "no" is that specific thing. If you go to our neighboring cities, you'll find buildings that exceed three floors in height. So, I think we either need to revise our codes, or comply with them. Whatever the city

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building codes are, we should be meeting them on every single project that comes along, or revise to be more realistic.

Mr. Babcock: And to expand on that, like I was saying to Pete, I tend to be a black-and-white guy. However, what we've got currently is a byline of three stories. However, if you were to look at where that building is going to go, it's going to be four stories. It's four stories, but it's still shorter than Mission Square. So, relative height, it's shorter. Not only that, if you look at the house on the southwest corner, it's pretty much four stories to that residence. However, the majority of these residents that were making comments, most of those residents actually are 20 feet higher than the base of the parking lot. So, relatively speaking, it's more like a two-story building to them, which is one of the reasons why I give you the benefit of the doubt, because as Pete was saying, it's an infill project, which makes it a little bit harder to put that property to use. The thing is, I think it would benefit the decision-making process if we talked, rather than just a standard story, we talked heights, relative heights. And it's a graduated rather than a strict three-story building height throughout the corridor. In my mind, I can see 5, 4, 3, 2, or something to that effect, as we go away from the corridor. That's kind of what we're doing, but that's not the way it's written in the Comprehensive Plan. Danielle, do you know if any other, any more projects on the board that might be coming up like this?

Ms. Sitzman: No, there's nothing in the pipeline. The last larger parcel that we know is being marketed for some sort of housing use would be on the northwest side of town, at 56th and Foxridge. It's the former JC Penney call center site. That might be the, kind of the last easily-accessible, without subletting a lot of other parcels. That's where the Dial Senior Living property proposal started to look at. But I haven't had any serious interest. And that would be an [1:34:37] district, too. So, a little bit different ballgame.

Mr. Davidson: The other thing, I guess, is, you know, traffic study. The traffic study is a lot of concern to a lot of people. Here's these traffic engineers, doing these traffic studies. Well, wait a minute. Now we've got another project that's coming up, and it's like, you really can't do, you know, a proper study when, Oh, wait a minute, there's another project here that's going to bring 200 more cars in, you know, into the area. So, that is a bit concerning.

Ms. Sitzman: Staff obviously knows the projects that have started down that path, and we try to make our engineers aware of it. There's kind of a standard traffic analysis that's typically asked of an applicant. If we know of extenuating circumstances, we'll typically tell them to try and take that into account as much as possible.

Mr. Davidson: This project right there, you know, they've been, you know, that traffic engineer has been, obviously knows about what's been approved.

Ms. Sitzman: Yeah. And when we send it out, it's, we need you to look a little farther afield than what they'd normally look at, too. Consider this intersection at Martway, or this next one closer, because we think it would have more of an impact. So, yeah, we're trying to be sensitive about that.

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Mr. Babcock: Do we still own the printing company property?

Ms. Sitzman: Yes, we do still own 7080 Martway.

Mr. Babcock: It completely muddies the water. Just thinking out of the box. The bundle of the buildings you have, and you have a [inaudible] exchange with the city to do that –
[Laughter.]

[Overlapping comments and conversations.]

Mr. Babcock: You need to look at it because you could go more than three stories there. You wouldn't have flood plain issues. And we get a park adjacent to a current park.

Mr. Arnold: You could have mentioned this, like months ago.

Mr. Babcock: I didn't know about it.

Ms. Sitzman: So, let me tell you what I do know that is coming your way. In January, there is a special use permit that will be before you for off-site parking for 5700 Broadmoor. That's going to be high-rise office buildings. A category for Broadmoor Park. That ownership recently purchased the parking lot directly north of Broadmoor Park and would like to continue to park cars on there. I became aware that they were doing that, and they really do need to have a special use permit first to make it legal. Because it's off-site, basically. So, they've got a use over here; they want to do parking over here. So, that will be before you. Kind of talked about lighting concerns. They'd like to improve the lighting in that parking lot for the security and safety for the folks that park there, but it's immediately adjacent to some single-family family homes. So, they're working through the design for how to avoid trespassing and light pollution there. There are also concerns that we had, that if you have people parking across the street, how are they going to cross the street in that area? So, we are starting to talk to them about off-site improvements to extend the sidewalk, put in a crosswalk, so that folks can get across the street safely, or at least not be darting across in various other locations. That will be before you in January.

As you may notice, there is an empty chair. Dana Buford has decided to not continue on the Planning Commission. She has resigned her spot. There will be a new appointment happening this week. Burton Taylor has applied for the position and City Council will be considering approving that. So, in January, we will probably have a new planning commissioner. Everyone knows Scott is eventually going to be moving out of Mission, so Scott will kind of take over as our non-resident on the board, which Dana had been filling. So, we will have equal representation from the boards again, and one non-resident. That concludes everything that I have to share.

Staff Update

Staff provided an update on current and upcoming projects and events.

ADJOURNMENT

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With no other agenda items, **Mr. Lee moved and Mr. Davidson seconded a motion to adjourn.** (Vote was unanimous). The **motion carried.** The meeting adjourned at 8:39 P.M.

Mike Lee, Chair

ATTEST:

Ashley Elmore, Secretary