

MINUTES OF THE PLANNING COMMISSION MEETING-DRAFT

June 25, 2018

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, June 25, 2018. Members also present: Stuart Braden, Brad Davidson, Robin Dukelow, Burton Taylor, Charlie Troppito, Pete Christiansen and Frank Bruce (arrived after roll call). Also in attendance: Brian Scott, Assistant City Administrator, and Ashley Elmore, Secretary to the Planning Commission.

Approval of Minutes from the May 29, 2018 Meeting

Ms. Dukelow moved and Mr. Braden seconded a motion to approve the minutes of the May 29, 2018, Planning Commission meeting, with correction on page 16 per Ms. Dukelow.

The vote was taken (7-0). The **motion carried**.

Frank Bruce joined the meeting.

Case # 18-04 Preliminary and Final Plat for 5655 Broadmoor

Chair Lee: We will open the public hearing at this time. Staff?

Mr. Scott: Mr. Chair, item #1 on the agenda tonight is Case #18-04, a preliminary and final first plat for 5655 Broadmoor. This has been a parking lot for a long time, located on Broadmoor, north of Broadmoor Park and east of Mission Tower office building and adjacent to the former JC Penney call center. The current owner is CAPROCQ. They are also the owners of Mission Tower office building at 5700 Broadmoor. The applicant tonight is Michael Osborn with Kaw Valley Engineering. He has been working on this plat. As I stated, this is a parking lot and has been since the early 1990s. Looking at aerial photographs on AIMS prior to that time, it was undeveloped property with office buildings around it. This property was acquired when Mission Tower office buildings acquired it a few years ago. At that time, the owners came to the City to inquire about making improvements to that parking lot. That's when we noted that it needed a special use permit for overflow parking since it's not adjacent to Mission Towers.

Staff worked with the owners to obtain a special use permit, which was considered by the Planning Commission in February 2018. It was subsequently approved by the City Council and the special use permit is in place now. The next step before they start on drawings and making improvements is to actually plat the property itself. I will note that this plat does have a public dedication of four feet along the western boundary, which will be right-of-way to the City for a sidewalk. You'll remember from the special use permit that improvements will include restriping the parking lot, or more defined parking, if you will, as well as lighting, bollard lighting fairly low to the ground so as to not emit into the properties behind it. Obviously, it will continue to be used as a parking lot, which is the purpose of the special use permit. This is in compliance with the Comprehensive Plan, as well as the form-based code plan for that particular block. The plat does support good land planning and allows for future development and redevelopment to comply with adopted standards. The plat does not propose any changes to curb cuts or intersections. The plat will dedicate four feet along the western boundary for public use.

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Finally, it does meet all requirements of Section 440.220-Submission of Preliminary Plats.

That's all of my remarks. Mr. Osborn is here tonight, so I'm sure he can add to what I had to say. We're both available for questions.

Chair Lee: Thank you. Would the applicant like to step forward and identify yourself?

Michael Osbourn, Kaw Valley Engineering, 14700 West 114th Terrace, Lenexa, appeared before the Planning Commission and made the following comments:

Mr. Osbourn: I'm representing the owner. Thank to staff for all their help as we've gone forward. This is to improve a parking lot that has been there for a long time. It has a special use permit. We're following the guidelines outlined in the stipulations. We have construction drawings completed. If we get approval tonight, we will submit the construction drawings and start moving forward. I believe one stipulation is that construction be completed by the end of November of this year. We are on track for that. We're going out for bid in the next week. Hoping for construction to start in August once we get City Council approval of the plat. With that, I'm here to answer questions.

Chair Lee: Questions?

Mr. Davidson: On the lighting detail, Brian talked about lighted bollards. Are there any higher --?

Mr. Osbourn: No. Everything is pedestrian-style lighting. We felt that going into the project, from the start, that the proximity of the residences to the east, that was probably the best approach to getting the lighting. The whole purpose of the improvements was the few people who do work dark hours, in the three of four months in the winter when it does become darker at 4:30-5:00, it provides some lighting in that parking lot. Currently, there is one large light in the northeast corner that shines about one-third of the way across the parking lot, but you don't get any lighting towards the street, or things like that. So, of course, with the addition of that, we're upgrading the parking lot to be in compliance with the standards, including significant landscaping along the street.

Chair Lee: Any questions? [*None.*] Thank you. Is there anyone who would like to speak for or against this project? [*None.*] Not seeing anyone, we will close the public hearing.

Ms. Dukelow: Mr. Chairman, if there is no discussion, I will make a motion to recommend approval of Case No. 18-04, Preliminary and Final Plat for 5655 Broadmoor.

Mr. Troppito: Second.

The vote on the motion was taken (8-0). **The motion to approve this application passed unanimously.**

Case #18-05 Preliminary and Final Plat for 4801 Johnson Drive

Mr. Lee: This is a public hearing.

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Mr. Christiansen: Mr. Chairman, I'd like to recuse myself for this project.

Chair Lee: Thank you.

Mr. Scott: This is the site of the proposed Gateway Development at the corner of Johnson Drive and Roe and Roeland Drive and Shawnee Mission Parkway. A long history on this property. I won't go into a lot of detail; all that is covered in your packet. To the west is a Single Family Residential District in the City of Fairway. To the north are OB Business Offices, located in the city of Roeland Park. To the east is not zoned, it's KDOT property for Shawnee Mission Parkway. To the south is RP-5 High-rise Apartment District, C-1. Property owners within 200 feet were notified of the public hearing. This property was platted in 2013. We have gone through some iterations with the project since then. There was a revised preliminary site development plan that was submitted in 2015. That was approved by you all and City Council. A revised preliminary site plan was submitted in 2016. This included a proposed residential top of the Walmart store. That was approved by you all, but then denied by City Council. So, we're back to the original site plan. That became a final plan that was submitted to you in 2017 without the Walmart project because they had withdrawn from the project. That was approved.

The plans that exist now are the three apartment buildings, four stories, retail on the ground floor, hotel, office building, and the proposed food hall. That will probably become a final plan that has to be presented to you once we have detailed drawings of that food hall and what it would look like.

In the meantime, they are moving forward with construction. They have submitted construction drawings for the three apartment buildings. We are pretty well through our review process on those and they are ready to pull building permits in the near future. As part of that process, they would like to carve out a lot on the side specifically for the apartment buildings. Right now, the entire site is just one platted lot. They will subsequently carve out five lots, one for the apartment buildings, one for the hotel, one for the office building, the food hall/entertainment venue, and the parking structure itself. This will allow them to finalize construction drawings for the apartments, identify the appropriate right-of-way to be dedicated to the City. Once they finalize construction drawings, they can proceed with pulling building permits.

This does conform with all requirements outlined in in Section 440.220 for preliminary plats, as well as consideration of final plats in Section 440.260.

The one lot for the apartment buildings is proposed to be 170,000 square feet, or approximately 3.9 acres. Lot 3, the remaining lot, will be 530,000 square feet and approximately 12.23 acres. They are proposing to dedicate 3,523 square feet of right-of-way along Johnson Drive for parking. There are no additional public easements that have been identified in this plat because most of those were removed in the first plat. That is my report. I believe the applicant is here. Are you the applicant?

Mr. Wiswell: I'm here in place of the applicant. He had a family emergency. I'm the surveyor of record, Tim Wiswell. I know the plat has been going on for quite some time.

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We tried to clean it up and take unnecessary easements out. We're also adding additional street right-of-way, and I was thinking that there was a sidewalk easement on the west side. It's been a while since I've looked at this particular plat. Again, I wasn't planning to be here. Our engineer, David Eickman, I spoke with him today. He wanted to know if I'd fill in for him. He said that something about parking had been brought to his attention. The way I did it, it's going to be in phases. The first phase, there will be parking on the back side of the development. When the next phase goes and they do the parking structure, they would be able to park in that structure and the businesses would be able to utilize parking on the back side of the building. I'm more attuned to the plat itself and not the planning. We did that additional right-of-way on the northerly side. And then, on the far left, you can see there was an easement where it comes around the corner there, on that trail, for pedestrians. If there are questions, I'll answer what I can. Like I said, I'm on the survey side, not the design sign.

Mr. Braden: I have a question, just a point of interest to me. Since there is now Plat 2 and 3, is Plat 1 completely dissolved and there's no longer a Plat 1?

Mr. Wiswell: The second plat, yeah. The first plat will dissolve. The second plat, once they get the restaurant row, there will a replat to where it will have its own lots for different hotels. It's also going to be five plats. To try to keep it clean, and not having the exact locations or sizes of what's actually going in there yet, we're just going with the two lots now. Then it will be replatted as it fits.

Mr. Braden: When you do replat Lot 3, does that dissolve and become 4, 5 and 6? How does that work?

Mr. Wiswell: It's whatever way they divide it up. They can replat all of our three, or they can replat... Lot 3 of this plat would remain except for the part that was replatted. Say the north 300 feet of that. If you keep those in a chain, you can look and see what has happened to the lot as it goes on. But if you get in there, and let's say they came up with their best ideas, and next thing you know, your replats start looking at five feet, or six feet. It really gets hard to track. So, if you do bigger areas and all of a sudden there's a big chunk gone out of the corner, it's not near as likely for someone to make a mistake or get confused.

Mr. Taylor: I had similar confusion. And it's a clerical thing, I think. Because it seems Lot 1, Plat 1 doesn't go away. Now, we have 2 and 3, and 3 will go away, so we'll have lots 2, 4 and 5 when we're done.

Mr. Wiswell: If they replat Lot 3, and let's say they had 4 lots in there, yeah, you could have four or five.

Mr. Scott: To show the change. Track 1 becomes Lot 2 and 3, Lot 3 becomes 4 and 5.

Mr. Wiswell: It really gets confusing, and they try to keep from doing, like if they do a Lot 3 of the third plat, which is a different configuration than Lot 3 of the second plat. That's why you go ahead and go up with the numbers because it gets to be a nightmare. We had three replats and they were all Lot 3.

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Mr. Taylor: As I was reading through it, obviously the parking section stands out. I just wanted to make sure that that was part of the original plans, that it's not catching anyone off guard there.

Mr. Braden: I had the same question.

Mr. Scott: About parking for the apartment residence?

Mr. Braden: Right.

Mr. Taylor: Is that what it's dedicated, that little L, the little leg that shoots out?

Mr. Scott: That's actually the building. The parking for the residence will be in the garage, which will be behind the L. Whatever lot that eventually becomes when it's platted. So, I think the plan right now, the architects and developers are proposing that this will be a surface parking lot until such time as that garage is built. And then, they'll come in and plat it once they identify the exact boundaries of that garage and the position in which it will be.

Mr. Braden: I was concerned they might be putting parking where the plaza was, but they're putting surface parking where the future parking garage...

Mr. Scott: If you'll remember from the details of the plan, there will be some parking along Roeland Drive. That's for the retail. And there will be parking identified in this plat along Johnson Drive. Again, it's public parking. The residents will be parking in a surface lot behind it.

Mr. Davidson: I have a question, thinking about the logic behind all that. When the parking garage does go in, hopefully the environment is full of residents that park on that surface parking lot, and then, in comes construction for the garage. Where will those residents go to park?

Mr. Scott: The developer is going to have to work with the residents to find a suitable parking area on site. And then, if the garage is built here, that might be moving parking over more towards Roe and Johnson County, that corner where the food hall is going to be in the future. They plan to build this in phases. That was the original plan, at least. Phase 1 is going to be the apartments. Phase 2 is going to be the hotel and the garage. Phase 3 will be the food hall and entertainment venue. The way they're talking right now, Phase 1 and 2 will be almost be built simultaneously. So, it may be a case where by the time they're done with the apartments, which will be about a two-year process, they may be done with the garage by then, as well. They're talking with the hotel right now - Marriott - about final design of the hotel. They plan to break ground on the hotel probably next spring or really summer, and the garage at the same time.

Mr. Davidson: Is there a leasing contract in place with the Marriott?

Mr. Scott: I believe so, yeah.

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Mr. Troppito: Have you confirmed that, at least for our action tonight in approving the plat, that there's nothing here that the variance would be in conflict with the plans that were already approved. Correct?

Mr. Scott: That's correct.

Mr. Troppito: Secondly, no adverse revenue impact to the City by approving this layout, right?

Mr. Scott: Correct.

Mr. Bruce: Mr. Chairman, also a question for staff. The 902 square foot reduction in right-of-way, what kind of impact will that have on the final plan?

Mr. Scott: I don't believe it's going to have much of an impact on the final plan. It does reduce some of the on-street parking along Johnson Drive. Probably in hindsight, that's the safest move because the on-street parking is pretty close to Roeland Drive. So, we're moving it a little further east to provide for better movement, people going around the corner on Johnson Drive, Roeland Drive and Johnson Drive, or going through that intersection. They're not pulling right up on somebody that is wanting to back out of a parking space.

Mr. Bruce: And those lanes actually back into traffic, correct?

Mr. Scott: Right.

Chair Lee: Any other additional questions? [*None.*] Okay, thank you.

[*The Chairman opened the public hearing at 7:21 p.m.*]

Barbara Porro, 4982 West 60th Terrace, appeared before the Planning Commission and made the following comments:

Ms. Porro: I've said this many times before, but my concern - I'm Barbara Porro. I live in the townhomes to the west of the property. My main concern is the traffic along Roeland Drive. Currently, without any structure at the Gateway, there are two exits and entrances going from Shawnee Mission Parkway and one from Johnson Drive onto Roeland Drive. There are four coming from the west to the east. So, with the building of the apartments, the Gateway, they add three more. Roeland Drive is a two-lane street and there's not much traffic now. But with the new concept, there's going to be a lot more traffic coming on and off. One of your former members thought it was a wonderful idea to have the semi-trucks that serve the property to the east exit also onto Roeland Drive, as opposed to going out on Roe. He thought it was too residential over there, which boggled my mind because we're more residential on our side than it is on that side. Trucks could easily go down Roe and exit south and east. So, that is my concern, Roeland Drive. I know that the plans are already made, but I think other plans need to be made. And now, just listening here, you're talking about if there's not enough parking structure for the residents, what's going to stop them from trying to park down our residential streets?

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Or Wendy's? Or just some of the homes along the street? That's my concern. Thank you.

[There being no further public comments, the Chairman closed the public hearing at 7:24 p.m.]

Mr. Davidson: I have a question for Brian. Are the developer and the owner of the property, at this point in time, are they up to date on all the stormwater fees? Are they up to date on payments back to the City, for that reimbursement?

Mr. Scott: As I stand before you tonight, no. We did meet with the developer last week when they were in town. The City Council approved the sale of industrial revenue bonds to help with financing the project. They did indicate in the meeting with us that they planned to make payment of those in mid-July. As part of the development agreement, they will have to be up to date on all taxes before we issue a building permit.

Mr. Davidson: That's what I wanted to hear. Okay.

Chair Lee: Additional questions? *[None.]*

Mr. Troppito: I would make a motion that the Planning Commission approve the Preliminary and Final Plat for Case #18-05, plat to be known as The Gateway Second Plat.

Ms. Dukelow: Second.

The vote on the motion was taken (7-0). **The motion to approve carried.**

Old Business *[None.]*

PC Comments/CIP Committee Update

Mr. Scott: Did you want to give a CIP update, Commissioner Braden?

Mr. Braden: We meet with the City Council two weeks ago... City Council went over the different items in the proposed budget for 2019. That goes to vote-

Mr. Scott: We will have a committee meeting, Finance and Administration, and the Community Development committee, both next Wednesday evening. On the Finance and Administration agenda will be the budget, answer any questions, and further discussion with them. There will be a public hearing the first Wednesday in August. The update will be adopted shortly thereafter.

Mr. Braden: The only thing I came out of that with was that it seemed like most of the City Council wanted to accelerate repair of some of the street conditions.

Mr. Davidson: I have something for discussion. The last meeting, we had a discussion about pole signs and things like that, as far as the integrity and the looks of that. Nothing to do with that, but something that bothers me as well in the city of Mission and in Roeland Park is these residential homes that have been turned into commercial businesses. You can tell they are beautiful 1930-1940 homes, built in their day. Their whole front and side yards are asphalted in. And I'm mainly talking about the houses to

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the north of the Gateway. And there are homes in the downtown area that are... Are there any ordinances or things of that nature towards those types of properties? I see those as, you know, sometimes a pole sign is not very attractive, and you see residential homes and stuff in their day, and they're changing hands all the time. So, for discussion, did anybody else notice that, and if there's any types of plans that the City has for those types of properties.

Mr. Braden: There are those kinds of properties right along the street on Woodson.

Mr. Davidson: Yeah. I'm just throwing that out as a discussion. I know a lot of people who drive down Johnson Drive and they see those 10 homes there, or whatever, are Roeland Park, and it's just asphalt, and they're all different owners. All different. It's not very attractive to me. Again, we have no control with Roeland Park. I'm just throwing that out and would like to discuss.

Chair Lee: I don't think we even had new ones 10 years or so. What's there has been there for some time.

[crosstalk]

Mr. Braden: ..one over here by the Verizon store. But that was already there.

Mr. Scott: A lot of properties here and there on Johnson Drive that are like that. They say they've been like that for a long time.

Ms. Dukelow:but we've seen some go away. Where ScriptPro parking garage is, for example.

Mr. Davidson: Brian used the term "death row..." Did he use the term "death row?" Did I hear I thought that's what you said. I said I just learned a new term.

Ms. Dukelow: At some point they would have had to be rezoned. It would have gone through a rezoning process.

[crosstalk]

Mr. Davidson: I'm just saying, like, the old pole signs that we're talking about that aren't so attractive, and here's all these old houses that....

Mr. Christiansen: Do we have something in place that we can use as a precedent for those? Other than those properties from over 10 years ago? If there's any existing properties that are neighboring ones that they kind of have used to try and shape that into the right way to fit into the community. I know street parking would probably be the only way to get around that unless they rezoned it, but you're always limited on street parking.

Mr. Davidson: Again, I was just bringing up the discussion with the group, just to see if anyone had concerns or ideas. The aesthetics. That's what we're looking for, you know, the aesthetics and beauty the city. The houses on the other side on Roeland Park, it's like, wow. Most people think that's Mission. It's just not a pretty picture, in my opinion.

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Ms. Dukelow: It's going to take time, I guess. And when they change, that's our opportunity.

Mr. Davidson: That's all.

Mr. Taylor: It's interesting. I think about the UMKC campus, and they have acquired a lot of the homes around the campus, and they've managed to keep those homes in line with the neighborhoods. They have not paved the front yards of those homes.

Mr. Davidson: There are big, big mansions, like the one next to the Kansas City museum is a beautiful residence in its day.

Mr. Scott: It does bring up a good point. I probably should mention to you all, as we put together the budget, we are planning to fund an update to our Comprehensive Plan. That's one of the items City Council requested, is to actually hire a consultant to help us update our Comprehensive Plan. I think at this point, they're probably going to approve that, so that will be in our budget for 2019. So, discussions like this are things we want to start thinking about as we start working towards updating our Comprehensive Plan.

Mr. Bruce: What do they have in the works for tear-down and rebuild? I know it's not a big issue here, but I think it's on the horizon. We know it's going on in Prairie Village.

Mr. Scott: It's starting to go on here, too. I've approved a couple plans for new construction of homes. One was a tear-down down on Countryside. They bought the property about a year ago, tore it down, had the plans approved by the HOA. And then, I got the plans on my desk and I approved them.

Mr. Bruce: What about 5600 Walmer?

Mr. Scott: I've had a discussion with them. What they want to do is subdivide that property and build two homes on that property. I told them that subdividing would not be in conformance with our zoning ordinance. I told him that they could apply for a variance, but I don't think it's going to be approved. It's not wide enough. So, they came back with a single house on that property, which does conform with the existing zoning. But, I have not seen construction drawings on that. I talked to them about a month ago now. That's where they're at with that property.

Mr. Braden: I think Frank's right. I think we should get ahead of the game . It's probably gonna happen more and more.

Mr. Scott: A couple of council members have mentioned it as well, so we need to start looking into design standards and what's acceptable/not acceptable. So far, the plans we've seen have met current zoning. They haven't been objectionable. It's not like the McMansions that we're seeing in Prairie Village, but buying a small house, tearing it down, and filling the entire lot. I haven't seen anything like that yet.

Mr. Bruce: One of the recommendations I had when I was on the sustainability is we required cisterns to be fit in with all teardowns and rebuilds. The cistern adds cost to the house and helps capture run-off, and it also provides water for the residence.

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Mr. Davidson: Yeah, the City of Leawood requires those on structures that can create more watershed than the original home on the property. Basically, the gutters are all taken to the cistern, and basically it drains out into a little gravel area. Sometimes you don't even know it's there. That is in place right now in Leawood. Maybe Prairie Village, as well.

Ms. Dukelow: So, if you're taking the contaminants off the roof straight to the cistern, and...?

Mr. Davidson: What it does, it has an overflow. It's kind of like a septic tank. It comes up to a six-inch drain, you know, escape from that tank, and then, there is a gravel pit that is 6 x 10 x 14 deep, or whatever, two feet under the surface, or whatever. Basically, it's like one big square type of a lateral.

Mr. Christiansen: It's just a buffer, right?

Mr. Davidson: Yeah, just a buffer...

[crosstalk]

Mr. Bruce: There are a lot of commercial cisterns available for roughly \$1,500 to \$2,000, which captures rainwater, and you can have pumps running off of it.

Ms. Dukelow: Yeah, well, the whole pump composition is counter to the environmental approach. And the pump is going to be expensive.

Mr. Davidson: I'm just saying, I was involved with a project in old Leawood and that was required. Never heard of it before. I said, you've got to be kidding me. This is the reason why, why, why and why. It has to be inspected and approved by the City, just like inspections on homes. I don't know if Prairie Village has it or not, but I do know Leawood has it.

Ms. Dukelow: Well, for as many parking lots as we see, I mean, surface parking and commercial buildings, there's a whole lot more water coming off those than there is a single-family residence. There's a lot better ways to design parking lots than dumping it all right into the channel, the storm sewer.

Mr. Davidson: You're seeing landscapers - case in point, over by Commerce over there, they had... Roeland Park, I'm sorry. Where they had their overflow going into a wet basin, so to speak. A swale kind of thing. It's got the drain at the bottom or at the side, it fills up, and then it will eventually.... And they have that type of plan.

Ms. Dukelow: Well, Johnson County has offices over here with a pretty nice landscape. They've got some nice swales over there. And the Shawnee Mission School District, the admin building, where the Antioch middle school used to be, their parking lot is worth a drive through. You're going down 71st Street, go through their front lots. It's really nice. The swales. They're managing the water on the site.

Mr. Davidson: And I've seen a lot of that. So, for you, Brian, do we have design stipulations on incorporating some of this?

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Mr. Scott: Yeah.

Mr. Braden: I think commercially they're kind of covered, aren't they? The impervious surface is so much more...I had one question. I know it looks like Mission Trails is getting ready to start any minute. Has there been any talk about the properties?

Mr. Scott: Martway?

Mr. Braden: Yeah.

Mr. Scott: No. I've talked with the architect once or twice. They're working their final site development plan. I don't know what they're going to submit.

Staff Update

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

ADJOURNMENT

With no other agenda items, **Ms. Dukelow moved and Mr. Braden seconded a motion to adjourn.** (Vote was unanimous). The **motion carried.** The meeting adjourned at 7:43 P.M.

Mike Lee, Chair

ATTEST:

Ashley Elmore, Secretary