

MINUTES OF THE PLANNING COMMISSION MEETING

September 23, 2019

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, September 23, 2019. Members also present: Pete Christiansen, Stuart Braden, Brad Davidson, and Frank Bruce. Jami Casper, Robin Dukelow, Burton Taylor and Charlie Troppito were absent. Also in attendance: Brian Scott, Assistant City Administrator, and Audrey McClanahan, Secretary to the Planning Commission.

Approval of Minutes from the June 24, 2019 Meeting

Comm. Bruce moved and Comm. Christiansen seconded a motion to approve the minutes of the June 24, 2019, Planning Commission meeting.

The vote was taken (5-0). The motion carried.

New Business

Public Hearing - Application # 19-05: Land Use Application for Zoning of Property at the Northeast Corner of Johnson Drive and Roe Avenue; and a Preliminary and Final Development Plan for Parking on Said Property.
SMG Investments, LLC., Applicant

Mr. Scott: This is Application #19-05, a zoning and preliminary and final development plan for a medical office building and an associated parking lot. Our primary focus tonight is the associated parking lot. This is on a portion of a property at the northeast corner of Johnson Drive and Roe Avenue, Parcel ID KF251209-3004. The same address; we do not have a formal address yet. The applicant is Sunflower Medical Group Investments, LLC, 5555 West 58th Street, Mission, Kansas 66202. The owner of the property is the City of Roeland Park.

The subject property is located at the northeast corner of Johnson Drive and Roe Avenue. It is a portion of a larger parcel of property that is partly in the city of Roeland Park and partly in the city of Mission. The picture up here on the screen, the entire parcel is outlined in red. The portion that is actually in the city of Mission, kind of the southern portion, that is outlined in blue with the hatch marks that you can't see very well there. The entire parcel is approximately 2.7 acres. The smaller portion that's in the city of Mission is .74 acres. The larger parcel of property was at one time owned by the Kansas Department of Transportation and served as the right-of-way for a cloverleaf interchange between Johnson Drive, Roe Avenue, and Shawnee Mission Parkway. Those of you who have been here for a long time will remember that. The cloverleaf interchange was removed in 2003. The larger parcel of property was subsequently sold to the City of Roeland Park sometime around 2014. Sunflower Medical Group investors would like to develop the property into a medical office building. The proposed building would be two stories in height and approximately 31,500 square feet. The building would be located entirely on that portion of the property that is within the city of Roeland Park. The remainder of the property, including that portion located in the city of Mission, would be surface parking associated with the medical building. The applicant is requesting a rezoning of the property and consideration of a preliminary and final development plan with both the City of Roeland Park and the City of Mission. The portion in the city of Mission is currently not

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zoned. The Comprehensive Plan identifies this portion of property as right-of-way, but does not have a land use classification or zoning assigned to it. Surrounding properties are zoned and developed as follows: North portion in the city of Roeland Park is a single-family residential district. To the east is R-1, single-family residential district, detached single-family homes in the city of Fairway. And Business-2, business office district, office park, in the city of Fairway. To the west is Mixed-Use District, a bank and micro-hospital, located in the city of Roeland Park. To the south, there is no zoning; this area is right-of-way for US Routes 56 and 169, located in the city of Mission.

The portion of the property that is in the city of Roeland Park is currently zoned SFR, Single-Family Residential District. The property itself is vacant. A single-family subdivision does exist to the north and east. The City of Overland Park is proposing to rezone the property to CPO, Planned Office Building. A medical office building would be a permitted use within this zoning district.

As stated, the portion of property in the city of Mission does not currently have a zoning designation. Instead, it is designated on the City's zoning district map as right-of-way, as is all the land area within the city that is east of Roe Avenue. City staff proposes a designation of CP-O Planned Office Building District for that portion of the property that is located within the city of Mission. Medical office buildings are a permitted use in this zoning designation.

Municipal Code Section 410.070 provides requirements for the CP-0 Planned Office District. Permitted uses do include subsection (A)(3) – medical office buildings. Municipal Code Section 410.070(C) - Height - states, "Buildings, or structures located within District "CP-O" shall have no minimum or maximum height requirements except as governed by yard requirements and provided approval is given by the City during rezoning and final development plan approval." Front Yard - requires that minimum front yard shall not be less than thirty (30) feet. Side Yard - states, "Not less than fifteen (15) feet shall be provided on the street side of a corner lot up to two and one-half (2-½) story buildings." The front of the proposed building is situated along Roe Avenue with a front yard depth of approximately 25 feet from the back of curb. The existing sidewalk along Roe Avenue in front of the building will remain. This will provide the sense that the building is close to the sidewalk, and the front of the lot, which is in keeping with the Johnson Drive Design Guidelines. Due to utility easements that run through the property at the corner, it is not practical to bring the building to the corner of Roe and Johnson Drive. The proposed side-yard setback is well within the requirements of the zoning provisions. The City of Roeland Park is requesting an easement in this side-yard area for a City entrance monument. The applicant is also intending to place a piece of public art in this location, near the building. This is in keeping with Roeland Parks' requirement of 1% of construction costs to be dedicated for public art. Both the City entrance monument and the public art will provide a nice aesthetic presence to the corner that will be an enhancement for both communities.

Municipal Code Section 410.070(H) - Parking - stipulates, "The parking lot shall not be closer to the street right-of-way than one-half (½) of the front yard or street side yard requirements, nor closer than six (6) feet to the interior or rear lot lines." The surface

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parking lot area within that portion of the property that is in the city of Mission (essentially that area along Johnson Drive) is setback 6 feet from the property line and 35 feet from the back of curb of Johnson Drive. This is greater than $\frac{1}{2}$ of the street side yard or 7.5 feet (one-half of the 15 foot side yard requirement). Staff has requested, and the applicant has agreed, that an eight (8) foot wide sidewalk be placed on the Johnson Drive frontage from Roe Avenue to Granada Street. There will also be sidewalks to the interior of the site that provide connectivity for those walking to and from the street area to the site.

Code review for landscaping and parking. Municipal Code Section 415.090 provides minimum tree requirements per zoning district. The landscape plan provided as part of the final development plan indicates that there is approximately 400 feet of frontage along Johnson Drive. This would equate to eight trees being needed. The plans indicate that three Swamp White Oak (2.5" calbr.), four Black Gum (2.5 calbr.), and six Autumn Brilliance Serviceberry (1.5" calbr.) trees are proposed for the frontage. These will be planted both individually and in a cluster pattern. In addition, Sea Green Junipers and Maiden Grass will be planted along the edge of the parking lots to help in concealing the lot and parked vehicles. The plans indicate that there will be 155 parking spaces throughout the property, both in Roeland Park and Mission. This equates to 7.75 trees being required within the parking lot area. The landscape plans indicate eight Maidenhair trees (2.5" calbr.) will be planted in the parking lot islands. Additional plantings in the parking lot islands will include Buffalo Junipers and Iroquois Beauty Black Chokeberry bushes. All plantings are in accordance with Municipal Code Section 415.100 Planting requirements. Staff has stipulated to the applicant, as provided in the code, that sod must be planted in the right-of-way.

The total amount of parking surface within the city of Mission will equate to approximately 14,500 square feet or 45% of the land area. Municipal Code Section 425.020 - Minimum Space Requirements - stipulates that for general office buildings a minimum of 2.84 parking spaces is required for each 1,000 square feet of building space. The proposed building is 31,500 square feet. This would equate to 89.46 parking spaces being required. Plans indicate 155 parking spaces being provided. Approximately 47 parking spaces will be in the Mission portion of the property. Size of parking stalls and arrangement are within code.

Approval of Zoning Request: Section 440.140 (E) -Criteria for Considering Applications - lists the criteria to be used by the Planning Commission and City Council in the consideration of this application. An evaluation of these criteria is as follows: 1. The character of the neighborhood. The subject property is located at the northeast corner of Johnson Drive and Roe Avenue. Both are arterial roads connecting the area to the larger northeast Johnson County region. Commercial property (primarily non-retail) already exists with the office park in the city of Fairway to the east, and the bank and micro-hospital in the city of Roeland Park to the west. The Gateway development project is to the southwest. There is a residential subdivision to the northeast, but the proposed use should have little impact as the hours of operation will be during the weekday and not evening or weekend. The proposed use will provide a good buffer for this neighborhood

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to the traffic and surrounding uses. The proposed development of a medical office building is in keeping with the overall character of the neighborhood.

The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning and uses. The proposed zoning and use is in harmony with surrounding zoning districts and uses.

3. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations. CP-O zoning limits uses to office buildings, which should be compatible with the residential area to the north and the other commercial uses east and west.

Number 4, the extent to which approval of the application would detrimentally affect nearby properties. Approval of the application will not have a detrimental effect on the surrounding properties.

5. The length of time the property has remained vacant as zoned. It has never been zoned by the City of Mission for any particular land use, and has been vacant for about nine years.

The relative benefit to the public health, safety and welfare by retaining applicable restrictions on the property as compared to the destruction of the value of the property or hardship to the owner association with denying its request. Staff believes the proposed zoning of CP-O is appropriate and protects surrounding properties, while allowing the owner to realize the full value of the land.

The Master Plan or Comprehensive Plan, item number 7. The proposed zoning of "CP-O" is appropriate and in keeping with surrounding zoning uses in other cities, and the mixed-use zoning to the southwest, in the city of Mission.

8. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the use, or present parking problems in the vicinity of the property. The applicant has provided a traffic study, which is in your packet this evening. This was reviewed by the City's on-call traffic engineer. The on-call traffic engineer suggested that traffic counts for the proposed Gateway development be utilized for the study, to which a revised study was submitted by the applicant. The on-call traffic engineer believes that the applicant's updated traffic study still slightly under-estimates the associated total peak hour traffic from the adjacent Mission Gateway development in their analysis of the existing traffic plus the Mission Gateway plus the proposed medical office building. The overall Synchro result with the completed analysis for the Johnson/Roe intersection is LOS C. With the additional traffic from the Gateway development, the result should generally be the same. At worst, it may exceed the 35" average delay/vehicle threshold, which moves it into a LOS "D" condition, which is still acceptable for the projected critical peak hour condition.

The one individual movement at the intersection that may need further evaluation is the eastbound dual left-turn lanes, which are LOS "E." With the additional traffic, that movement may possibly degrade a bit more. The proposed medical office building will not

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have much impact on this particular movement and there is not really anything that can be done geometrically at the intersection to change the performance. Traffic conditions at the intersection of Johnson and Roe are being impacted by a number of factors and will need to be monitored over time to evaluate the effect of these factors.

Item 9, recommendation of the professional staff. The site plan has been reviewed by staff and the City's on-call engineer for compliance with zoning, design, and engineering standards, and all recommend approval of the proposed zoning and preliminary and final development plan.

Item number 10, the extent to which utilities and services, including but not limited to sewers, water service, police and fire protection, and parks and recreation facilities, are available and adequate to serve the proposed use. All utilities and services are in place and are adequate to serve the proposed use. Public improvements to sidewalks, crosswalks and street trees will be made by the applicant as a condition of approval.

Item number 11, the extent to which the proposed use would create excessive stormwater runoff, air pollution, water pollution, noise pollution or other environmental harm. The applicant provided a storm water study, which is in your packet this evening. This was reviewed by the City's on-call stormwater engineer. An initial study indicated that no detention was needed due to the amount of additional stormwater that would be created would be minor when compared to the entire watershed. The City's on-call consultant does not believe this is an accurate interpretation of stormwater management standards issued by the Kansas state chapter of the American Public Works Association. The stormwater actually indicates the overall increase in stormwater would be as much as 32 percent. In addition, the cubic feet per second volume will increase by 9 percent. A revised study was provided to your [inaudible] analysis and the addition of a pond site underground stormwater detention system. This will reduce the amount of additional stormwater to approximately 24.4 percent, which is within the acceptable range of the APWA standards. Stormwater will be released from the detention system at a rate similar to existing conditions currently. The revised stormwater study indicates that for the most part, the site will drain to a rain garden situated on the property. In accordance with section 15-515 of Ordinance No. 809 of Roeland Park, the owner will complete an annual certification inspection of the stormwater management systems and rain garden, and is subject to City inspection at least once every three years.

Number 12, the extent to which there is a need for the use in the community. The applicant is the Sunflower Medical Group, which is currently located within the City or Mission at 5555 W. 58th Street. They will be moving to a bigger facility, but still within the community and available to serve their clients here.

I'll skip item 13. Item 14, the ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the zoning district regulations. The applicant should be able to satisfy any requirements applicable to the specific use that will be allowed within the zoning regulations.

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Staff Recommendation: Staff recommends the Planning Commission recommend approval of Case #19-05 to the City Council for the following conditions:

- (a) That portion of a parcel of property located at the northeast corner of Johnson Drive and Roe Avenue that is within the corporate limits of the City of Mission (Parcel ID: KF251209-3004) be zoned as "CP-O" Planned Office Building District; and
- (b) That a preliminary development plan for a parking lot associated with a medical office building to be built on the property be approved with the following conditions:
 1. Landscaping be provided in accordance with the submitted landscape plans, and such landscaping (including the rain garden) will be maintained and adequately watered in accordance with a contract between the owner of the property and a landscaping company, such contract to be submitted to the City for review.
 2. Sod to be laid in grass areas along the Johnson Drive right-of-way and maintained in contract as stipulated in the first condition.
 3. Underground detention system be constructed as indicated in the submitted plans.
 4. An eight (8) foot sidewalk be constructed along Johnson Drive from Roe Avenue to a terminus at Granada Drive in accordance with the site plans submitted.
 5. A plat of the entire property be filed with both the City of Roeland Park and the City of Mission for approval by both cities, said plat indicating boundaries of the property, location of the building, dedicated easements and the dedication of right-of-way, be completed prior to the issuance of any permits for improvements.

That is my staff report. I will add this. The City of Mission and the City of Roeland Park have been in discussions for almost two years now about a possible de-annexation of that portion of property that is in the City of Mission, and annexation by the City of Roeland Park. It seems those discussions have gotten very fruitful in the last few weeks, and the City Council actually passed a resolution, after meeting last Wednesday evening, placing the de-annexation on the agenda for the October 16th meeting as a public hearing for consideration. That evening, if so decided, they can actually adopt a resolution that formally de-annexes this portion of the property from the City of Mission. And then, that evening, the City of Roeland Park, at a special meeting, would pass a resolution accepting that portion into their city, annexing it.

So, with that said, staff is proposing that once we hear from the applicant and take any comments on this and answer any questions you all might have, we suspend this public hearing and table the item to a date certain, the October 23rd Planning Commission meeting. If that is the desire of the Planning Commission. That is my report. Representatives of the applicant are here tonight.

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Chair Lee: Step forward.

Andy Gabbert, Landscape Architect, Renaissance Infrastructure Consulting, 5015 Northwest Canal Street, Riverside, MO, appeared before the Planning Commission and made the following comments:

Mr. Gabbert: Good evening. I'm a landscape architect with Renaissance Infrastructure Consulting. Thank you for hearing us tonight. I would like to extend another thanks to Brian for that wonderful staff report, and for all the help and attention they've given this project over the past couple of months. I'd like to keep it short. I'm here with our team. We've got our architect, Jeff Stockman of ACI Boland; our civil engineer, Dustin Burton, with RIC; and the president of our company, Chip Corcoran. With that, I'd like to open it up for any questions. We agree to all the stipulations.

Chair Lee: Any questions of the applicant?

Comm. Braden: I have a question for both staff and the applicant. In the description of the rainwater, there was some added verbiage that wasn't in our report, and it sounded like there was some concern with the calculations on the stormwater runoff, and [inaudible] and there was no longer a concern with that...? I'm sorry, I wasn't quite following that.

Mr. Scott: Staff is satisfied that a revised stormwater study has been submitted. The applicant is now proposing... You'll see that underground stormwater detention system, actually underneath the parking lot on Mission. That will meet our needs.

Comm. Braden: Okay, thank you.

Unidentified: Would it be better for you if we went ahead and approved this tonight? Or is it irrelevant as to whether we approve or wait on City Council to take action on it?

Mr. Burton: I would say that a vote for approval would just... I'm not sure. If there is a vote for approval tonight, if the City Council does not vote to annex or de-annex, there would not be a need for us to come back on the 23rd because you guys will have already approved it at that point.

Mr. Scott: If you vote for approval tonight, we would probably postpone taking it to City Council for their consideration. Normally, it would go to the next meeting, which would be October 16th. But given that they are already considering how to handle this parcel of property, we would probably just wait until the November meeting. It may be better at this point just to wait, table it.

Comm. Bruce: Would the applicant be better off if we tabled or we approved it?

Mr. Scott: There may be something that comes out of discussions about the annexation, too. It could have an impact on this. So, we need to bring it back to you all for further consideration. So, it might be best to wait until the meeting on the 23rd, where we can take it up again.

Comm. Bruce: This seems to be an exercise in futility for us because if it goes to Roeland Park their rules are going to apply anyway.

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Mr. Scott: Right. Trust me, I know the feeling of futility.

Chair Lee: Any other questions? [None.] At this point, we will open the public hearing. If anyone would like to step forward and speak either for or against, now is the time to do it.

Roemaine Bales appeared before the Planning Commission and made the following comments:

Mr. Bales: I used to live right in that curve right there, at the bottom of Granada. My parents and I lived there, I think it was 1968. Currently, I live in Prairie Village, and my wife and I still own this piece of property. So, I'm just a little concerned about how that stormwater will be handled. Many years ago, we had trouble with water in the basements at the bottom of that street. The house I'm speaking of, it's not, it's [inaudible] the last house in the street. But several of the houses along there had trouble during heavy rain, when you'd get days of rain, and all that. I'd just like to understand better what this system is going to be, to relieve the pressure from this building and this new enterprise here.

Mr. Burton: Could you point on the map there, show me where you're at?

Mr. Bales: It would be right about here.

Mr. Burton: And those are residences?

Mr. Bales: Oh, yes.

Chair Lee: Okay, not seeing anyone else who wishes to speak, we'll close the public hearing at this point. I'm assuming that regardless of which way it goes at this point, the stormwater is going to be handled the same way. So, if someone could give us an explanation.

Mr. Burton: Sure, I'd be happy to. We're actually going to be installing two stormwater [inaudible]. They're a little hard to see on this screen. We're going to be doing a small rain garden, roughly in this area here. That's primarily going to be for water quality, because if a small storm hits, about an inch, inch-and-a-half will be treated in that. For larger storms [inaudible] installing the underground system, consisting of three 48-inch pipes. The majority of water [inaudible] the building, and [inaudible] are going to be collected on site and into these pipes, 48-inch pipes, where we have a control plate [inaudible], creates detention on the site, so that [inaudible] over time, so that the impervious area [inaudible] building generates more, faster run-off, it slows down with that detention there. So, that's primarily what we're going to be doing to control on-site water. And [inaudible] the watershed in general. It's about six acres that's coming to this point here. Our site is only two acres of that six areas, so we're able to help control, not make things worse for our site, but not [inaudible] upstream [inaudible] beyond that. Thank you.

Chair Lee: Okay. Comments?

Unidentified: Just for the record, I was on the five-city exploratory committee two or three years ago, and evidently, as Brian just said, I guess I've been fired from that committee because I've not been a part of that for the last year or so. But, with that said, if you want

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to call a piece of property that is probably in the gray area not in compliance within... Not "not in compliance," but I'm just saying, a compliant piece of property because of the two cities. I know there's a lot going on, and the whole idea was to try to bring the two cities together because, like I said, the City of Mission has .7 acres, and the general consensus is basically that the City of Mission doesn't have a lot of, with .7 acres, into the project, that the general consensus is something like, what I just heard from the first time tonight, is the de-annexing of the property to the City of Roeland Park. With that said, I agree that it's probably best to table it, and if it's going to go back to the Council for that possibly to occur, then it all falls on the City of Roeland Park as far as their regulations and all that. So, it's hard to say our regulations and our compliances on a piece of property when there's not much, you know, to chew on. I just wanted to make that note.

Comm. Braden: I had one more question I forgot to ask. The parking count calculations, it appears that the required parking was space for 90, and then 155. I'm just curious why there's so many more than what's required. You're adding a lot of impervious surface, there will be run-off, and I see a lot of empty [inaudible] parking lot. I was curious about why that additional parking.

Mr. Gabbert: A couple of different things. Shawnee Mission Medical Group is not a new medical facility group. They are located in Roeland Park now and they have multiple facilities located around the metro area. They know their parking, they know their needs, so a lot of this is being driven by their other locations and what they see as a need for parking for them.

The other part to that question is, the other portion of the building will be leased out, and the more parking you can get, it helps open doors for other users. So, it's kind of a balance, but mostly driven by the needs of Shawnee Mission Medical Group.

Chair Lee: Are there any other comments? I would entertain a motion.

Comm. Braden: Mr. Chair, I would move that Application #19-05, Zoning and Preliminary and Final Development for a medical office building parking lot at the northeast corner of Johnson Drive and Roe Avenue be tabled to a date certain of Monday, October 28, 2019, at which time it will be taken up again for consideration by the Planning Commission.

Comm. Bruce: Second.

The vote was taken (5-0). The motion carried.

Old Business - None

PC Comments/CIP Committee Update - None

Staff Updates

Mr. Scott stated that two new department directors have been hired recently. Penn Almoney is the new Director of Parks and Recreation, and Celia Duran has been hired as

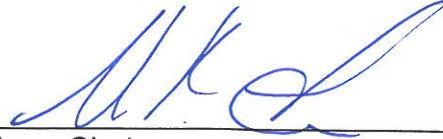
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the new Director of Public Works. Comm. Braden asked for an update on the Gateway project; Mr. Scott said he did not have anything to add regarding that project.

ADJOURNMENT

With no other agenda items, **Comm. Christiansen moved and Comm. seconded a motion to adjourn.** (Vote was unanimous). The **motion carried.** The meeting adjourned at 7:36 P.M.



Mike Lee, Chair

ATTEST:



Audrey McClanahan, Secretary