

# **MINUTES OF THE PLANNING COMMISSION MEETING**

**September 28, 2020**

## **Virtual Through Zoom**

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, September 28, 2020. Members also present: Brad Davidson, Frank Bruce, Jordon McGee, Robin Dukelow, and Pete Christiansen. Stuart Braden and Burton Taylor (arrived late) were absent. Also in attendance: Brian Scott, Assistant City Administrator, Kaitlyn Service, Community Development Planner, and Audrey McClanahan, Secretary to the Planning Commission.

Chairman Lee: It is 7:00, so we'll call the meeting to order. Because of the COVID-19 social distancing recommendations our meeting tonight is being held virtually, via Zoom. Commissioners, staff and the applicant are all joining remotely. The meeting is being recorded. The public is invited to participate by using the instructions include in the Planning Commission calendar item listed on the front page of missionks.org. Public participants will be allowed to make public comments through the comments feature. Please note that comments are visible by all participants. If you wish to make a public comment, please state your name and the city of residence for the record. Please be conscientious of others trying to speak and speak slowly and clearly. If I need to confirm something that may have been difficult to hear, I will ask for clarification. With that, we will start the meeting.

### **Approval of Minutes from the August 24, 2020 Planning Commission Meeting**

**Comm. Bruce moved and Comm. Dukelow seconded** a motion to approve the minutes of the August 24, 2020, Planning Commission meeting.

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

### **New Business**

#### **Case #20-05 Non-Conforming Situation Permit - 5959 Broadmoor Street**

Ms. Service: The property is 5959 Broadmoor, so right at the northeast corner of Broadmoor and Martway. It has a one-story building on it, approximately 3700 feet, and a small garage for storage in the back. The property has been a restaurant since its construction in 1973. Most recently, as we all know, it was Johnny's Bar-B-Que until January, when the restaurant owner retired. Then, in February the Planning Commission approved a nonconforming permit to allow the building to be converted into a different restaurant called The Other Place. When COVID-19 kicked in, The Other Place withdrew their planned building, and now here we are with another proposal in front of us.

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The applicant recently purchased the property and would like to convert it into Stem Hair and Body Salon. Stem has been locally owned and operated by the applicant since about 2005. They were originally in Shawnee. They are currently renting a place in Merriam, but my understanding from the applicant is that they are just tired of renting and really wanted to expand and buy the property. They are wanting to relocate here when the building is ready to move into.

The property is located is located in the C-2B zoning district, which is Retail and Service District. A hair salon is an allowed use, and also retail sales of cosmetics, accessories, and so forth, so it does conform with the uses in the Zoning Code. The property is located within the West Gateway Overlay District, so subject to that West Gateway Form Based Code. It is nonconforming in regard to the building form, which is why the applicant brings that Nonconforming Situation Permit that we have in front of us tonight. As we know, the Form Based Code is meant to steer development projects towards a pedestrian-friendly, mixed use, urban vision for the area. It's been implemented in Mission, mostly when property owners demolish the existing buildings and completely re-develop the site, like we see at Natural Grocers and Mission Crossing, but we know many of the property owners choose to just continue using their existing buildings that don't necessarily conform to the type of building form that would be required by the Form Based Code. So, as they are renovating or repairing their properties, if the cost of renovations exceed 10 percent of the structural value, the City Code does require this Non-Conforming Situation Permit.

The staff packet has a letter from the applicant and some images in there. You can see that the renovation costs are mostly attributed to the interior of the building, associated with converting the restaurant into a hair salon. As the picture shows, the exterior of the building will mostly remain the same as it is right now. The existing building is in keeping with the Johnson Drive Design Guidelines, and the proposed improvements to the site will bring the property into better compliance with the Zoning Code. For example, they are adding some screening to the trash dumpster on the site, which is currently not screened. They're going to enclose that in accordance with City screening requirements. They are going to replace the two existing Johnny's Bar-B-Que signs and remove the existing pole signs, since the City Code discourages or prohibits the pole signs.

In regard to parking, the existing property has more than enough parking. There are 44 parking spaces on the property, whereas the City Code will only require 13, but also adding a bike rack, looking at the spirit and intent of the Form Based Code Streetscape, they will incorporate bikes racks to hopefully try to make it a little more bike friendly. It is right on Martway, which has that bike lane, and they are adding some trees to the property. It will be nice with the changes with this specific opportunity to ensure that as new businesses do go into buildings that are aging as time goes on, ensuring that the new businesses [distortion] bringing the building up to code, essentially, so staff does recommend that the Planning Commission grant the Non-Conforming Situation permit for Case 20-05 for 5959 Broadmoor Street. The applicant was invited to the meeting and

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provided the information, but it doesn't look like they are in attendance tonight. I am happy to answer any questions that anyone has.

Chair Lee: Any questions for Kaitlyn?

Comm. Dukelow: It looks like a really nice project. They really seem to be focused on the guest experience, and it looks like there will be...I looked at their website. It looks like a great business. I do have some things that are in alignment with primarily the same things that we talked about when we talked to The Other Place applicant. Those are the landscape screening for the parking lot along Martway, between the building and the driveway. Of course, we're expecting the vision triangle with that, just a low shrub alongside would be more in alignment with the streetscape for the City. Then, there's also the issue of the rooftop screening that we talked about when we spoke with The Other Place, screening that big air handler that's up on top of the roof. I have a question with regard to the patio. Do they indicate any use specific use for that, or will it just be a place for clients to hang out, or do they have any thoughts on that?

Ms. Service: It's my understanding that it is just kind of like a gateway into their business. They'll probably put some porch furniture out there. I don't know that they have any specific plans with it other than that. That's a great point about the screens, the parking lot and the sidewalk. Some of the rooftop equipment I think might be removed, associated with the restaurant uses, but we can certainly add that [distortion] an added condition.

Comm. Dukelow: Okay. So the [[distortion] will be closed in accordance with screening requirements, so that would be, if I'm not mistaken, a CMU enclosure with a steel gate of some sort?

Ms. Service: The Zoning Code does require that the dumpster would be enclosed with materials that are harmonious with the building. Oftentimes, small businesses will request to put a privacy fence around the dumpster. The Zoning Code does require it to be actual architectural material. I spoke to them about that, because I saw in their letter they did propose wooden, so yes, they're aware that that's not in accordance.

Comm. Dukelow: Maybe a nice split [inaudible] or something. So that's a big concern, because we all know that a privacy fence around a trash enclosure is no match for a trash truck.

Ms. Service: Yes.

Comm. Dukelow: Their plans for the trees are great. They're saving the existing trees; whereas, if I remember correctly, the other applicant was going to remove some of them. Okay. Thank you, that's all I have.

Chair Lee: Other questions?

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Comm. Christiansen: Mr. Chairman, I do have one question, expanding on Robin's comments, mainly about the grease exhaust fan. I know that it's located on the chimney on the side of the building. I just want to make sure that they are planning on removing that, or sealing that up in a nice manner to where it has a little bit better curb appeal, rather than just leaving the fan up there and terminating in that aspect. That is all I had on that point, just wanting to make sure that the equipment is terminated properly, and it's not of use, because that could be considered an eyesore on a street as removed as [distortion].

Mr. Scott: [Distortion] official there will be discussion of all these things when he [distortion] their building permit.

Chair Lee: Anyone else? [distortion] With that said then, if there is anyone out there that would want to discuss, any public comments from the audience? [distortion] look like we have any. Seeing that [distortion], if someone would like to make a -

Comm. Dukelow: I'll make a motion if there's not any other comments.

Chair Lee: Okay, go ahead.

Comm. Dukelow: Mr. Chair, based on the findings documented in the staff report, I move that the Planning Commission approve the non-conforming situation permit for case number 20-05 at 5959 Broadmoor Street based on the stipulations outlined in the staff report; additionally, with landscape screening along the south side, along Martway, rooftop screening as required and removal of the grease fan and other unnecessary or unused mechanical equipment from the roof, provided that applicable building permits are issued.

Comm. Bruce: Second.

Chair Lee: Very good. Call the roll, please.

The vote was taken (7-0). The motion passed.

**Old Business**

Comm. Dukelow: I have some old business. I just want to make sure that we follow up on the...I'm curious about the Market Rate Apartment progress for the project that we approved over at the Mission Bowl site. Have there been any more conversations around that?

Mr. Scott: No, we're just starting the conversations. Kaitlyn and I have been doing some research about the definition of affordable housing, and preparing a memo for the Mayor and the City Council that we're going to send out this week. In the meantime, we had a meeting internally with our consultant to start discussing application for TIF, as well as

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the requirements or stipulations that the City would like to see with offering incentives to developers [inaudible] a TIF project plan is that some component or portion of that project be rented at an affordable housing rate. The most logical definition would be area median income, a percentage of the area median income. The area median income for Kansas City is \$86,000, and there's various percentages of that – 80 percent, 60 percent – so we'll be negotiating with the developer to rent a portion of this project at a certain percentage of that area median income.

Ms. Service: And to clarify, the \$86,000 for the area median income is for a family of four, so it changes based on the apartment size, essentially.

Comm. Dukelow: Okay, great. I also wanted to follow up on Birch Park.

Mr. Scott: What would you like to know about Birch Park?

Comm. Dukelow: I didn't know that we had a park over there called Birch Park, and if it in fact is a park, does it...? Is there anything else it should have? Is it a public park, or is it just a place where they removed a house or two?

Mr. Scott: Yes. The simple answer to the question is there was a house on that lot at one time, that the City purchased and removed. I believe, really, it was for the purpose of having stormwater flow through a small drain back into Rock Creek. There's also a trail that kind of goes through a portion of the west part of that property that connects Martway back to that cul-de-sac, the Birch Street cul-de-sac, coming back into that neighborhood. That was one of the concerns Mr. Grant [phonetic], I believe, Mr. [inaudible] Grant brought up is that we have this trail from the walkway that comes back into that cul-de-sac, but there really are no sidewalks in that neighborhood that people [inaudible] could utilize.

I think you had asked about park standards. I don't really know of any "established park standards" that we have. We do have a Parks Master Plan that was approved a few years ago. Its been a while since I've looked at that, but there may be a recommendation for establishing some standards for parks, in terms of playground equipment and signage, etc. It's a small lot, so there wouldn't really be a lot of room for full blown playground equipment and parking, if we really wanted to use it. But it is a park, yeah.

Comm. Dukelow: Okay. Thank you.

Chair Lee: Any comments from the Planning Commission? [None]

**Staff Updates**

Chair Lee: Kaitlyn, do you have anything to bring up from staff?

Ms. Service: Yes. As you know, the City has started the process of updating the Comprehensive Plan. We're kicking off the Public Engagement portion of that on October

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1<sup>st</sup>, with a virtual public meeting at 6:30. I hope everyone can attend. This is a great way to kind of get clued into the process. It will be really important for Planning Commissioners to feel really comfortable with the Comprehensive Plan, obviously, as we move towards the adoption stage, so this is a great way to get in the forefront, understand how the public is being engaged, how their input is being incorporated into the plan. Also, just listening, keeping your pulse on that community feedback and providing feedback of your own. I highly encourage everyone here to attend. Laura, our City Administrator, asked us to challenge everyone to invite three friends or neighbors from the community also to the event, so bonus points if you do that. It's on October 1<sup>st</sup>. It will be virtual as well. The Zoom details will be posted on the City's website on the calendar on the day of the meeting. So, 6:30, October 1<sup>st</sup>. Hope to see everyone there.

Mr. Scott: it will be the unveiling of the website for the project, the Comprehensive Plan Use Update. The website is unveiled on the 1<sup>st</sup> of October. It will be up and active for two months, the month of October through the month of November. You'll be able to link to that website or go to that website through the City website. You can go to [www.missionks.org](http://www.missionks.org), and it'll have a link to that Comprehensive Land Use Plan Update website. It's a really neat website. One of the features they have is a map of the city. You can actually go into that map. You can drop pins. You can make a comment. You can drop a pin on Gateway and write a comment, "What's going on with this?" Other people can come along and say, "like" or "dislike," or add to your comment. You can draw on the map. "I live here, but I like to go to Birch Park, which is down here, and there's no easy way to get there." So, you can kind of draw the map the way you go, to highlight the fact that it would be nice to have other sidewalks and opportunities to be able to get to that park. You can put down big, airy audacious ideas of things you'd like to see in different areas of town. "We would like to see this here, or that there." Just anything that your imagination can come up with, you can put on this map, and people can respond to that. They can say "like" or "dislike." All those thoughts will be collected, and that will be the impetus for generating some ideas and recommendations for that steering committee to explore further.

There's also some visual preference surveys. We have some visual preference surveys centered around accessory dwelling units, because that is something that a lot of people would be very interested in, and will be following us asking about the possibility of having an accessory dwelling unit on their property. Accessory dwelling units come in all kinds of shapes, forms and sizes. It could be a basement. It could be an attached structure next to your house. It could be a stand-alone structure in the back of the lot. The visual preference survey gives you options and allows you to vote on what you like and what you don't like.

The same with multi-family housing, different options from high-rise to four-plex to duplex. What do you like, what don't you like? Variations of single family homes, because we're starting to experience some of that teardown and rebuild, not to the extent that maybe Prairie Village has, where you filled an entire lot with a big mansion, but we are starting to see different styles of houses and bigger houses within our neighborhoods. So, it gives the viewer an opportunity to vote in all these different things, kind of have a say. There's

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trails and paths in there, and streetscapes, and probably some other things. Kaitlyn, I'm forgetting right now.

There are some other types of surveys, too. We have a virtual budget where you're given a certain allowance, and you can say where you want to spend your money, on transportation, or parks, infrastructure, that kind of thing. It's just a way to collect data, get some community engagement with residents and visitors and business owners and property owners and begin kind of coalescing some ideas around things and starting to formulate some recommendations to look further in exploring. I really encourage you to be at the kickoff meeting this Thursday and spend some time visiting that website. We'll send you a link to that website.

The other item, there will be a meeting next month, which will be October 26<sup>th</sup>, and the one item that we have on that meeting is that Mission Bowl TIF. Some of you know, and some of you will not know, that the first step with a TIF project plan is that we take that to the Planning Commission and we get the Planning Commission's recommendation on conformance with our Comprehensive Land Use Plan. A lot of it is going to be a rehash of the report that Kaitlyn gave you last month of how this project sort of works with our Comprehensive Land Use Plan as well as our Master Plan, but we have to have a formal Resolution adopted by the Planning Commission, stating that the TIF project plan is in conformance with our Comprehensive Land Use Plan. That will be at the meeting next month, on the 26<sup>th</sup>. That's all I have. Anything else, Kaitlyn?

Chair Lee: Anyone else?

Comm. Davidson: I'd like to do a shoutout. Kudos to the Public Works Department on the overlay and striping and some curb replacement stuff on Lamar, from Metcalf to 35. What a nice street and what a great asset to the City, so good job on that.

Mr. Scott: They did a nice job. Thank you. We'll pass that along.

Chair Lee: Very good.

**ADJOURNMENT**

With no other agenda items, **Comm. Bruce moved and Comm. Dukelow seconded a motion to adjourn.** (Vote was unanimous). The **motion carried.** The meeting adjourned at 7:35 P.M.

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Mike Lee, Chair

**ATTEST:**

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Audrey M. McClanahan, Secretary