

CITY OF MISSION PLANNING COMMISSION

March 25, 2024

7:00 PM

Mission City Hall - 6090 Woodson

Members Present:

Stuart Braden
Wayne Snyder
Cynthia Smith
Kelsey Brown
Megan Cullinane
Kevin Schmidt
Amy Richards
Robin Dukelow (Vice Chair)
Mike Lee (Chair)

Staff Present:

Brian Scott - Deputy City Administrator
Karie Kneller - City Planner
Kimberly Steffens - Secretary

Members Absent:

(City of Mission Planning Commission Meeting Called to Order at 7:00 p.m.)

I. CALL TO ORDER

CHAIRMAN LEE: It's 7:00 and I'll call this meeting to order. The public is invited to participate. If you'd like to make a comment, please raise your hand but stay seated and we will call on you to go to the lectern. Please make sure to be conscientious of others trying to speak and speak slowly and clearly. If we need to confirm something that may have been difficult to hear, I will ask for clarification.

II. ROLL CALL

CHAIRMAN LEE: Call the roll, please.

MS. STEFFENS: Cynthia Smith.

MS. SMITH: Here.

MS. STEFFENS: Kevin Schmidt.

MR. SCHMIDT: Here.

MS. STEFFENS: Stuart Braden.

MR. BRADEN: Here.

MS. STEFFENS: Robin Dukelow.

MS. DUKELOW: Present.

MS. STEFFENS: Mike Lee.

MR. LEE: Here.

MS. STEFFENS: Megan Cullinane.

MS. CULLINANE: Here.

MS. STEFFENS: Amy Richards.

MS. RICHARDS: Here.

MS. STEFFENS: Wayne Snyder.

MR. SNYDER: Here.

MS. STEFFENS: Kelsey Brown.

MS. BROWN: Here.

III. APPROVAL OF MINUTES FROM FEBRUARY 26, 2024

MR. LEE: Okay. The first item is the approval of the Minutes from the February 26th, 2024, meeting. Is there anyone who would like to make any changes to the minutes?

MS. DUKELOW: Mr. Chairman, I have several notes. Apparently, I either wasn't speaking into the microphone or I was not enunciating properly. So, in general, I have marked up this sheet. It's on page 9 of the minutes, the draft rather, and I will share this with Ms. Steffens after the meeting, and she can have the copy.

But just for the gist of it, the questions, one of them was regarding the pad, the extension of the concrete pad adjacent to the benches that are being installed, so that it can also accommodate a wheelchair. And then there are references, of course, to that particular sheet where I thought I might have seen that had it been there, had I been able to see it.

And then there was a question regarding the extension from the trail to the street at the south --

MS. KNELLER: East.

MS. DUKELOW: -- east corner. Thank you. And that was reviewed.

We also talked about a product that they are using in the landscape called Meadow Mix, and that's a landscape question that I had.

In general, let's see. There was one more. There was a question regarding the trees, the really small ones that have only been there for about three or four years, and they were not clearly identified, I didn't believe, on the Tree Protection Plan. So those -- that's the gist of the corrections that I have. Thank you.

If no one has any further comments or corrections to the minutes, I will make a motion that we approve the minutes from February 26th, 2024, with the clarifications as presented.

MR. BRADEN: I'll second that.

MR. LEE: Call the roll, please.

MS. STEFFENS: Kelsey Brown.

MS. BROWN: Aye.

MS. STEFFENS: Wayne Snyder.

MR. SNYDER: Aye.

MS. STEFFENS: Megan Cullinane.

MS. CULLINANE: Abstain.

MS. STEFFENS: Cynthia Smith.

MS. SMITH: Abstain.

MS. STEFFENS: Chairman Lee. Mike Lee.

MR. LEE: Aye.

MS. STEFFENS: Amy Richards.

MS. RICHARDS: Abstain.

MS. STEFFENS: Robin Dukelow.

MS. DUKELOW: Aye.

MS. STEFFENS: Kevin Schmidt.

MR. SCHMIDT: Aye.

MS. STEFFENS: Stuart Braden.

MR. BRADEN: Aye.

MS. STEFFENS: Motion passed.

MR. LEE: Very good.

Motion 1: **Robin Dukelow - Ward IV/Stuart Braden - Ward I:** Approve the minutes the February 26, 2024, as amended. **Motion carried 5-0-3 with Cynthia Smith - Ward II, Megan Cullinane -Ward III, and Amy Richards - Ward IV abstaining.**

IV. NEW BUSINESS

1. Case #24-03, Mission Hill Acres Lot Split

MR. LEE: Under New Business, we have three items tonight. The first is Case #24-03. This is the Mission Hills Acre Lot Split. It has an applicant of Scott Confer with Phelps Engineering who's requesting a lot split approval for a lot currently addressed at 5537 Woodson Road on which sits two single-family structures with a shared driveway, currently exists. Share your report with us, please.

MS. KNELLER: Thank you, Mr. Chair. This is Case #24-03, the Mission Hill Acres Lot Split. The subject property is located at 5537 Woodson Road on the corner of 56th and Woodson. The property is platted as one lot currently and two single-family structures, built in 1954, are currently on that property with a shared driveway between two homes. The lot currently is 120 linear feet wide and alternatively 134 and 146 feet wide along the 56th Street frontage. A 30-foot by 12-foot area in the southeast corner of the property is set back to the west to accommodate for an adjacent property's driveway. So, part of that is why you have a different length, depths of the lot.

The structure currently meets all required setbacks, and the property owner, Centennial Real Estate Services, LLC, would like to sell one of the properties and requests a lot split prior to the sale. An easement agreement between the two properties for the shared driveway is now pending.

Two new lots, Lots 241A and 241B, are proposed with both 60-foot lot widths, respectively. No changes to lot depths or dedications are proposed with the lot split proposal. Existing structures are expected to remain for the time being at least.

The Mission Municipal Code gives us R-1 stipulations for residential areas in the city. Namely, I would just note that subsection (I) here is about minimum lot size. The width should not be less than 78 linear feet unless a lot was platted prior to October 8th, 2003, which this one was, and which -- and at that time it can be a lot split of 60 feet per lot and a depth of 110 feet. Or the other stipulation that goes along with that is that any lot may be split to a minimum of 60 feet in depth -- 60 feet wide and a depth of 110 feet if it complements the overall character of the adjacent neighborhood.

Staff did take a look at this and looked at the rest of the adjacent properties on that block and surrounding blocks, and it is in the context with the blocks and neighborhood. It's consistent with the rest of the neighborhood and on the block with that. The rest of them are between 60- and 62.5-foot lot widths.

So, staff does recommend that the Planning Commission to approve the proposed lot split with the condition that the shared driveway easement is recorded prior to the recording of the lot split survey and will record that on the lot split survey to be recorded after that easement is recorded. And that's all I have for that staff report.

MR. LEE: Thank you. Does the applicant have anything to add to it?

MR. CONFER: Yes. Thank you, everyone. My name is Scott Confer. I'm with Phelps Engineering. I'm the land surveyor representing the owner of the property. And as she said, they're just looking to split the lot so they can probably sell or whatever one of the properties or both. You know, it makes sense to have a single-family home on their own individual lot. And so they're seeking approval for the lot split. And the shared driveway easement is in the process of being reviewed and that will be recorded prior to the lot split being recorded.

So, I'll be -- I'm happy to answer any questions if you have any or any concerns you might have.

MR. LEE: Anyone have any questions?

MS. KNELLER: Could I make a quick correction too? It's actually a Planning Commission recommended approval to City Council, not Planning Commission approval this evening, just for the record. Because it will go to City Council next month.

MR. LEE: Does anyone in the public wish to speak either for or against this?

MR. CONFER: Thank you.

MR. LEE: Not seeing anyone? Comments. If not, I'll entertain a motion.

MS. DUKELOW: Mr. Chairman, I'll make a motion that we, excuse me, that we approve Case #24-03, Mission Hills Acre Lot Split with the staff recommendation that the recording of the driveway easement be recorded as part of the -- on the lot split survey.

MR. BRADEN: Second that.

MR. LEE: Call the roll, please.

MS. STEFFENS: Kelsey Brown.

MS. BROWN: Aye.

MS. STEFFENS: Mike Lee.

MR. LEE: Aye.

MS. STEFFENS: Kevin Schmidt.

MR. SCHMIDT: Aye.

MS. STEFFENS: Wayne Snyder.

MR. SNYDER: Aye.

MS. STEFFENS: Megan Cullinane.

MS. CULLINANE: Aye.

MS. STEFFENS: Cynthia Smith.

MS. SMITH: Aye.

MS. STEFFENS: Amy Richards.

MS. RICHARDS: Aye.

MS. STEFFENS: Robin Dukelow.

MS. DUKELOW: Aye.

MS. STEFFENS: Stuart Braden.

MR. BRADEN: Aye.

MS. STEFFENS: Motion passed.

MR. LEE: Thank you.

Motion 2: Robin Dukelow - Ward IV/Stuart Braden- Ward I: Recommend approval by the City Council of Case #24-03, Mission Hill Acres Lot Split per staff recommendations. **Motion carried 8-0-0.**

2. Case #24-04, Nelson Wastewater Treatment Facility Final Development Plan

MR. LEE: Item Number 2 will be Case #24-04. This is the Nelson Wastewater Treatment Facility. This is the final development plan. The applicant is Johnson County Wastewater Company, and they're requesting approval for the existing wastewater treatment facility that is currently undergoing reconstruction during a multi-phase process. And we will get to the final development plan. Karie, would you like to --

MS. KNELLER: Do we want to bring up our presenter first, Brian?

MR. LEE: Yeah, sure.

MR. SCOTT: Yeah.

MS. KNELLER: Presenter first. Come on up, Patrick. I'll pull up your presentation here. The computer is running a little slow, so bear with me. Hopefully this will still work for us. Okay.

MR. DENNING: There it goes. Good?

MS. KNELLER: Yep. I think so.

MR. DENNING: Okay. Good evening, Commissioners. I have a brief presentation on the project if you'd like to hear that before considering the item before you. So, this is the Nelson Wastewater Treatment Facility Improvements Project. My name is Patrick Denning. I'm the Assistant Chief Engineer of Existing Infrastructure for Johnson County

Wastewater and the project manager of this project. So today, we're talking about the final development plan and the final plat is the next case as well. Go to the next slide.

I just really wanted to briefly go over the background, our public outreach efforts, the proposed improvements, and a little bit on the schedule. So, Johnson County Wastewater is a department within Johnson County government, and as such, the Mission City Council and the Board of County Commissioners of Johnson County have entered into an intergovernmental agreement for this project to work together in the best interest of the community. It allows JCW to voluntarily take part in the City's process while maintaining the immunity that's needed because this project is a consent order project with the state of Kansas.

The Board of County Commissioners did approve the funding for the project and the contract with McCarthy Building Companies in December of 2023. And I just want to say that I appreciate all of the cooperation with Mission staff and others in the community on this project to date. It's been really great.

This is the Nelson service area. Everything in the gray outline is -- this facility serves. So, it's quite a large area. It's about 100,000 people. The red is the city of Mission obviously. And the facility is located on Foxridge Drive and Lamar near the Lamar and I-35 interchange. So, this really is a regional project. You can go to the next slide.

The project drivers for this project. The facility was originally constructed in 1947, so quite a long time ago. Numerous add-ons since then, and so we have an aging infrastructure need because of that. Also, the state of Kansas is imposing stricter water quality requirements, and we need to increase our wet weather capacity as well. So, when you add all those things together, you end up with a pretty big project. The good thing about that is it does give us the opportunity to do some community enhancement and be better neighbors with a new facility. Go to the next slide.

We've had three open house events to date with the public, most recently about a month ago at the Roeland Park Community Center. We sent out about 650 postcards for that event and talked to people about the project and got their feedback.

The best way to see more information now about the project is JCWNelson.com. It's the website that we're hosting to provide information on the project. It also has all the information we presented in the public meetings and ways to get a hold of the project team. You can go to the next slide.

This is the proposed facility from the southwest. In the lower left that's true north-south. This is kind of an angle. So, on the on the lower left, you'll see Nall is that street that's running north-south on the right-hand side. But this is the overall design concept. It's based on a few factors. One is that we have to sequence this facility's construction such that we can continue to treat wastewater on the facility while we build the new facility. So, that requires us to do a phased approach where we build some things, tear some things down and then build some more things. To the extent possible, we tried to move the wastewater facilities to the northeast corner of the site to provide a green space buffer between the wastewater facilities and the residents to the south, southwest and southeast. We did this not with green space, but also with using administrative buildings in that space as well to get some buffer.

We've also lowered the site. The site will be lower.

MS. KNELLER: [Inaudible; talking off mic]

MR. DENNING: No, you're good. You're good. And then we're also constructing berms along Nall and 49th Street, which we'll show later.

From the -- just one more second.

MS. KNELLER: Sorry.

MR. DENNING: You're okay. You're okay. It's very similar to what we've proposed in the final development plan. A few notes. We did reduce one primary clarifier, which are the covered circles at the very top corner. There used to be three; there's now two. We've changed the finish on the digesters. I'll talk more about that in a minute. We did add sidewalk along Lamar and trees along Foxridge Drive, which was a comment from the PDP from the Planning Commission. And we increased the height slightly along 49th Street and added grasses to the tops of the berms so that as the trees grow, well, so the grasses will provide additional screening because the trees will be small when they start, and they'll get bigger and fill that space in as they grow. So, those are some of the changes since the PDP.

In the middle of the site there's -- no, you're good. There's an existing solids dewatering building which Karie really wants to show you a picture of. So, we'll go to that. So, this is the existing solids dewatering building. And this building will be reused on this site. And so it does play a major role in the architectural color and brick that we'll have on the site. We saved over \$12 million reusing this facility. So, we're going to keep this building. You can go to the next.

And so the architects brought in that darker brick color. You can see that with -- this is the proposed administration building. And there's also a blonde brick that will accompany that. So, this kind of has that dual tone to bring the existing in with the new. You can go to the next slide.

These are what some of the process buildings look like closer to Foxridge Drive. Again, they have that blonde brick. Water containing structures do have cast in place concrete finish, which is part of that as well.

Here's the digester complex. One of the changes we made is that we changed the architectural treatment on these digesters. So, just in general, our masonry costs on this project were very high. And so, we have -- we are proposing to replace the brick masonry that we had initially thought we were going to use with an EFIS coating system because we saved over \$3 million to the project by switching because of the cost of the brick masonry. We will specify a high impact design on the lower six feet to protect it from damage as well as have either concrete or a rock buffer around the digesters to prevent mowing and other damage to the system. Next slide.

This is our landscaping plan, or at least the highlights of it. You can see the berm. It's fairly significant along Nall and 49th Street as well. There's also additional trees we mentioned along Foxridge. Note the red numbers there. The one and two is the next slide that are along Nall that shows -- you can go the next one, Karie. That shows what the site will look like from six feet off the ground at that Site 1 and 2, both with the initial landscaping and then as the trees get larger. And then the next one is along 49th

Street. So, this again is when the trees are little, and the grasses are planted. And then as the trees mature and fully block the site.

Our lighting design did incorporate the Dark Sky International Guidelines. They do meet -- it does meet Mission requirements for foot candles at the property lines as well. Some light is required because this facility operates 24/7. So, we do have to have light on site, and we did consult with the Sheriff's Department because of the nature of the facility that it has to work 24/7. And there will be times, not normal, but there will be times when we have to be working out at night and there will be additional light as well if something is broken or whatever. We have to -- we're a utility that runs 24/7, so.

Odor control. This slide was presented previously at the preliminary development plan. But the red, the items in red on the left, that's the existing facility. That's the technology that we're using now. It's a trickling filter technology. They can produce odors. And you also see with the old facility just how the expansion kind of grew without a lot of planning. We put stuff where it fit. With our new facility, we had the opportunity to rethink that. You can kind of see we tried to consolidate to the northeast corner. The blue or the admin structures, the administration structures, so they will not produce odors. So, that kind of buffers from the neighbors. And then the green are all the facilities that could produce odor, but they are running through odor control systems to try to minimize that impact. So, we feel like we have a much better handle on that than the existing facility that could not be fully odor controlled. Now, odor control is mechanical. These are mechanical systems. Mechanical systems can break, so we're not saying it will never smell, but we are -- we do think we've made a significant improvement here.

Noise mitigation. So, our background noise monitoring indicated that current site noise was in the 50 to 60 decibel range. We think that probably was picking up a lot of the highway right there and also the railroad because we're down kind of right by there, the interstate there. So, our background noise was in that range. The sound generated by the completed facility though will be in compliance with the City Sound Ordinance of 50 decibels or less at the property line. So, that modeling shows the red line is 50 decibels. And we are able to maintain that within the property line.

There are a number of sustainable design features that we've incorporated into this design. We're doing digestion on site now. I mentioned the digesters before. That reduces the solids that must be removed from the site. It also produces methane that we can then burn in our boilers to actually reuse that gas in the system. And then we flare off whatever methane we don't use so that we don't release that greenhouse gas into the atmosphere. We have high efficiency motors and lighting. We pump liquids one time and then let the giant hill that we're on work for us and let the water flow through the processes without additional pumping. We have a water reuse pump station to reuse effluent water for our processes. And then we'll also have two electric tower cranes on site during construction that are very quiet and don't produce on-site pollution. We'll also look to reuse material that we pull out, backfill and rock and things like that for incorporation into the site.

I want to thank Brian and City staff. We worked with them to get a pipeline that we needed to get in under Foxridge Drive before the Foxridge Drive project was done. So, accelerated a portion of our work so that the Foxridge Drive project, we wouldn't disturb it twice. That's a significant improvement. That street is much better.

And then we're also working with Mission, Wyandotte County, and KDOT to signalize the Intersection of Lamar and I-35, which our traffic study showed was already in need of it. Construction would make it worse, so we have paid for that. We are paying for that with also some money from KDOT to help us out. Wyandotte County will take over those signals once they're completed because they are in Wyandotte County. And Mission has been helpful as well working to time all these signals and adding an additional left turn arrow for us to be able to get material in and out of the site.

Long project because of the phasing requirements and just the amount of work that has to be done on these facilities have a lot of underground work before you see the buildings come up. So, we are in 2024, first quarter, we've got a long way to go. The number of colored bars is increasing, which means work is picking up. So, we will have a project here. You'll really notice it '25, '26, '27. We'll be winding down in '27 on the major construction gearing up for start-up. These are biological systems, so they take some time to get going. So, substantial completion is all the way out in 2029.

So, why are we doing all this? Water quality is the main driver here. This is the difference in effluent that we're producing now, which is -- meets our current permit with the effluent that we'll produce when we have our future permit. So, we're talking big numbers here. We're talking 90-plus percent reduction in ammonia into the receiving streams, over 70 percent in suspended solids, phosphorus, and nitrogen. So, that's why we're doing this project. It's good to remember that once in a while. I need to remember that too in the day-to-day so.

We have an animation. If you click on the arrow at the bottom left corner, there it is. So, this is just a flyover of the site from the 3D model. The bottom here is Foxridge Drive. That's our new entrance. The address of the facility was changed to 5901 Foxridge Drive to get all the construction traffic and deliveries down to the bottom of the site instead of off of Nall. On the left, there is the existing dewatering building we mentioned before and the digester complex. The rectangles are the biological nutrient removal basins. So, that's what's going to give us our enhanced treatment over our technology today. The uncovered circles are the final clarifiers. That's the clean water getting ready for disinfection. The covered circles are the clarifiers that have the potential to generate odor that are earlier in the process, and so they're covered. All those pipes with the yellow stuff on top that's the odor control system that you see there.

Now we're going north to south along Nall. So, we're going to be six feet off the ground standing in Nall walking really fast sideways. And so, we got small trees. The grasses are meant to be in between those trees. Again, those are to buffer the site more until the trees get larger. We will still have our entrance onto Nall as a secondary entrance. You'll see that in a minute. The fence in front, the chain link will be replaced with a wrought iron fence. There's the entrance. There is a resident that lives on the corner still. And then this is 49th Street. So, we raised the berm a couple feet based on our renderings from the last presentation. Again, added the grasses, the fence. And then it zooms out.

So, that concludes my presentation. And you wanted to give your staff report.

MS. KNELLER: Yeah.

MR. DENNING: And then I'll be happy to answer any questions. Thank you all for your time.

MR. LEE: Thank you.

MS. KNELLER: See if that comes back up. So, this is Case #24-04, the Nelson Wastewater Treatment Facility Final Development Plan. We wanted to make a note that the former address 4800 Nall is no longer the address. We've had an address change since this PDP was approved back in 2022. So, it's 5901 now. 5901 Foxridge Drive.

The project will consist of total reconstruction of the treatment facility, and it will remain operational during construction. Its completion date is not expected until about 2029. And as Patrick said, there's been extensive public engagement during this entire process. It was February 22nd of 2024 that the last public engagement meeting was held by JCW.

On November 28th, like I said, in 2022, the Planning Commission recommended approval of the Preliminary Development Plan for the Wastewater Treatment Facility. And on December 21st of the next month, the City Council approved the plan on the Planning Commission's recommendation.

Section 440.190 of the Mission Municipal Code addresses consideration of final development plans, which states that final development plans which contain modifications or additions from the approved preliminary development plan that are in substantial compliance with the preliminary plan, may be approved without a public hearing, provided that the Planning Commission determines that the landscaping and screening plan is adequate. This also has to do with whether or not there are significant changes outlined in, I believe it's 8 different criteria, 10, 12 different criteria listed in Section 440.175. Staff -- well, I'll list a couple of those changes. Patrick did go over them, but I'll just read through them one more time to refresh your memory. But there's a digester control building that's changed slightly. I believe that it was from three structures now to one structure if that's right. Okay. Primary clarifiers. The PDP included three primary clarifiers. No, that's the -- primary clarifiers is down from three to two. Okay. There was a change in the digesters from the PDP due to pricing, which saved over 3 million by not including brick but including, is it EIFS?

Odor control facilities. Let's see. A change in odor control facilities. I keep saying from three to two, but I believe that is correct on that one. Okay. And then electrical distribution switch gear. The PDP included two primary distribution switch gear units that have been consolidated to one.

Also, so as far as site planning goes, the PDP approval included a condition or suggestion that Lamar, a sidewalk was included on Lamar. Additional street trees along Lamar and Foxridge Drive have also been incorporated due to those comments. And the berm along 49th Street has been increased in height and grass plantings have been added.

Parking for the line maintenance building has also been revised. I think according to the number of parking spaces that we needed, if I remember correctly on that one.

Two stormwater detention basins from the PDP were now consolidated to one.

Staff does not consider the changes submitted with the Final Development Plan as significant defined by the criteria in the municipal code. And so, therefore, staff recommends the Planning Commission approve Case #24-04, Nelson Water Treatment Facility Final Development Plan.

MR. LEE: Thank you. Is there anyone in the public that would like to speak either for or against this? Not seeing anyone. Do we have comments or questions?

MS. RICHARDS: I have a question. It's very minor. What is the product that was -- that you guys went with instead of the brick. E-I-F-S. You mentioned it a couple of times. Exterior insulation --

MR. DENNING: Yes. Exterior insulation that's sprayed upon it. Karie, if you go back to my presentation and a few slides after, thank you, there's a picture. That one, the tank one, that one. It looks like that. And the reason we have to put a coating on there is the digesters are heated because there's biological activity going on in there. So, we have to insulate them, so that insulation needs a cover to protect it. And that's what this material is.

MS. RICHARDS: That was supposed to be brick.

MR. DENNING: It was supposed to be brick, but the initial --

MS. RICHARDS: Thanks. That answers my question.

MR. DENNING: But the initial PDP --

MR. BRADEN: Mr. Chair.

MR. LEE: Yes, Stuart.

MR. BRADEN: I have a question related to that exact thing, material. I know a lot of places in Mission that EIFS is not allowed, especially within eight feet of the ground or somewhere in that. I just wanted to double check that in this case that EIFS would be allowed per City regulation.

MS. KNELLER: Did you say it would be enforced at six feet from ground level.

MR. DENNING: It goes all the way to the ground. We specify a high impact resistant material that's in it within -- from zero to 6 feet, and then there's a concrete, either sidewalk or rock around it to protect it. We have to have the insulation though go all the way to grade because of the nature of the tank.

MS. KNELLER: I think what you're referring to, Commissioner Braden, is that the Johnson Drive Design Guidelines, which we also would refer to as the City-Wide Design Guidelines, do call for -- from ground level to 8 feet for reinforced EIFS if there is EIFS. In this case because they're also protecting it and it's not on Johnson Drive or even really highly visible, I think that staff was comfortable with that.

MR. BRADEN: Okay.

MR. SCOTT: The guidelines also require, I think when it comes to EIFS [inaudible], which this clearly meets [inaudible] the project in the context.

MS. SMITH: So, the administration buildings and everything else are remaining brick.

MR. DENNING: Yes.

MS. SMITH: Okay. And the elevations in the packet are the most current up to date ones that we --

MS. KNELLER: I would imagine, yeah. That's the most current what they have submitted to us for FDP.

MR. BRADEN: So, I have another question not so much related directly to the site where all the equipment is, but out of my curiosity, on the old --

MS. KNELLER: Stuart, could you speak into the microphone?

MR. BRADEN: -- garden site, there was a -- there's two new backflow preventers there, and it does show up on your site plan. One is for the fire water service and the other is for the domestic water service. Obviously, it freezes around here, so I assume those will be in some kind of a heated enclosure.

MR. DENNING: That's right. Yeah.

MR. BRADEN: Has that been, the details of that been submitted on what that's going to look like?

MR. DENNING: I don't know that those details are submitted. They may have been. Do you know, Ron?

MR. HARDY: My name is Ron Hardy. I'm with HDR Engineers. In the construction drawings that we submitted there is a hot box right there. It's basically a stainless-steel structure with a unit heater inside of it. And then that will keep the --

MR. BRADEN: And you say it's a steel structure?

MR. HARDY: Yes.

MR. BRADEN: Okay.

MR. HARDY: So, and it will be about six foot tall roughly.

MR. BRADEN: Thank you.

MR. HARDY: Yep.

MS. SMITH: One more question about the EIFS. I imagine it'll need reveals. Is there somewhere where you have mapped out where the reveals will happen?

MR. DENNING: When you say reveals --

MS. SMITH: [Inaudible] you guys set a standpoint, so they aren't, you know, just kind of wherever?

MR. DENNING: So, we're anticipating on putting some relief into it, similar to kind of this, how this tank looks. I don't know that those details have been finalized yet, but there will be some lines in it and so forth. So, if we had to make a repair, we'd have a spot that we could delineate for that, yeah. Is that what you were asking?

MS. SMITH: Yeah. Like if they'll be, if any thought will be put into it, or if they'll just kind of be willy-nilly, you know, like if they'll be evenly spaced.

MR. SCOTT: She's asking a pattern of any kind or [inaudible].

MR. DENNING: I think it'll be fairly minimal like this, but we will get a chance to see that in the submittal drawings, yes. So, we would have a --

MS. SMITH: [Inaudible].

MR. DENNING: Yeah. There's just some -- there's just some horizontal loops and things in it to give it a little bit of architectural relief, yeah.

MR. LEE: Additional comments or questions? Not seeing any, I would entertain a motion.

MR. BRADEN: Mr. Chair, I move to approve Case #24-04, Nelson Wastewater Treatment Facility Final Development Plan.

MS. SMITH: Second.

MS. RICHARDS: Second.

MR. LEE: Call the roll, please.

MS. STEFFENS: Cynthia Smith.

MS. SMITH: Aye.

MS. STEFFENS: Robin Dukelow.

MS. DUKELOW: Aye.

MS. STEFFENS: Megan Cullinane.

MS. CULLINANE: Aye.

MS. STEFFENS: Wayne Snyder.

MR. SNYDER: Aye.

MS. STEFFENS: Kevin Schmidt.

MR. SCHMIDT: Aye.

MS. STEFFENS: Stuart Braden.

MR. BRADEN: Aye.

MS. STEFFENS: Mike Lee.

MR. LEE: Aye.

MS. STEFFENS: Amy Richards.

MS. RICHARDS: Aye.

MS. STEFFENS: Kelsey Brown.

MS. BROWN: Aye.

MS. STEFFENS: Motion passed.

MR. LEE: Thank you.

Motion 3: Stuart Braden - Ward I/Cynthia Smith - Ward II: Approve Case #24-05, Nelson Wastewater Treatment Facility Final Development Plan. **Motion carried 8-0-0.**

3. Case #24-05, Nelson Wastewater Treatment Facility Final Plat

MR. LEE: Case Number 3, #24-05, Nelson Wastewater Treatment Facility, the Final Plat. The applicant is still the Johnson County Wastewater Company, requesting an approval for the existing wastewater treatment facility that is currently undergoing reconstruction.

MS. KNELLER: [Inaudible; talking off mic] Basically, with this one we have the consolidation of [inaudible] lots, vacations of some right-of-way, vacation of street [inaudible]. These were all approved back in November with the [inaudible] case, the previous case I would say [inaudible]. And so there have been no changes with this plat. So, Section 440.260 is what we're [inaudible] to here, consideration of final plats states that the Planning Commission shall approve the final plat if it meets the criteria [inaudible] Nelson Wastewater Facility Final Plat.

MR. LEE: Good. Does the applicant have anything additional to add to it?

MR. DENNING: The only thing I'd reiterate is one of the questions last time was if we acquired any property for this project, and we did not. It's all on the existing site.

MR. LEE: Okay. Thank you. Anyone in the public wishing to say anything? Seeing no one. Comments or questions? Then we'd entertain a motion.

MS. DUKELOW: Mr. Chairman, I'll make a motion that we approve Case #24-05, Nelson Wastewater Treatment Facility Final Plat.

MS. RICHARDS: Second.

MR. LEE: Call the roll, please.

MS. STEFFENS: Kelsey Brown.

MS. BROWN: Aye.

MS. STEFFENS: Wayne Snyder.

MR. SNYDER: Aye.

MS. STEFFENS: Cynthia Smith.

MS. SMITH: Aye.

MS. STEFFENS: Stuart Braden.

MR. BRADEN: Aye.

MS. STEFFENS: Megan Cullinane.

MS. CULLINANE: Aye.

MS. STEFFENS: Robin Dukelow.

MS. DUKELOW: Aye.

MS. STEFFENS: Kevin Schmidt.

MR. SCHMIDT: Aye.

MS. STEFFENS: Mike Lee.

MR. LEE: Aye.

MS. STEFFENS: Amy Richards.

MS. RICHARDS: Aye.

MS. STEFFENS: Motion passes.

MR. LEE: Thank you.

Motion 4: **Robin Dukelow - Ward IV/Amy Richards - Ward IV:** Approve Case #24-05, Nelson Wastewater Treatment Facility Final Plat. **The motion carried 8-0-0.**

V. OLD BUSINESS

MR. LEE: Old Business.

MR. SCOTT: We have no Old Business, Mr. Chair.

VI. PLANNING COMMISSION COMMENTS

MR. LEE: Comments from anybody?

MS. DUKELOW: I don't have anything.

MR. LEE: Not seeing any others. Great.

VII. STAFF UPDATES

1. **Rock Creek Corridor City Council Work Session; Next Steps**
2. **April 9th Bike and Pedestrian Network Open House, 6-8PM at Powell Community Center**
3. **April 29th Planning Commission Tentative Agenda**
4. **May Planning Commission Cancelled**
5. **Update on Mohawk Park Phase II**
6. **Azura Credit Union, 6751 Johnson Drive, Ribbon Cutting on April 21**

MR. LEE: Staff updates.

MR. SCOTT: Yeah. Karie was kind enough to put all my staff updates on the agenda, so. I'm going to skip Number 1, I'll come back to that, the Rock Creek Corridor.

April 29th is our next Planning Commission meeting, and that is the fifth Monday of the month. You'll remember we opted to meet on the fifth Monday because the fourth Monday is the beginning of Passover. So, we'll be meeting on the 29th. That's going to be a heavy agenda.

So, the Milhaus Development project is going to be on that agenda. That's the multi-family development project on Martway over here at Dearborn and Beverly. It's going to be about 260 units. Two buildings. One building is 4-story, the other one is 3-story. So, it will be a big project and a time-consuming item on the agenda, I'm sure.

We also have special use permit for an electric vehicle battery charging, not charging, excuse me, storage facility. So, there is an old packaging plant on 61st Street, kind of behind the post office and Target, sort of at the end of that street there. They were there forever and a day. They sold the building earlier this year. And the company that does electrical vehicle battery storage and refurbishing purchased the property. So, we've met with them a few times about their operation. And we decided that that probably behooves a special use permit. So, that will be on the agenda as well.

Then we have a third item. Yes. The Mission Bowl TIF. Thank you. So, the developers, Sunflower Development, is proceeding with the development plans for Phase II of Mission Bowl. And they've made an application with the City for a tax increment financing project to help assist with the cost of developing that project. And one of the steps in that process is an approval by the Planning Commission that that conforms with our Comprehensive Land Use Plan.

So, those three items will be on the agenda on the 29th. So, I anticipate it'll be a pretty long meeting, so you might want to bring some snacks and a blanket and, which kind of brings me back to the Rock Creek Corridor study. We've completed that study and we presented that to the City Council Work Session last week and got some good feedback from them. Our plan is to incorporate that into the Comprehensive Land Use Plan that we adopted back in December, that the Council adopted. So, to do that, we start with the Planning Commission and the public hearing. We could do that on the 29th, or we could do that in May, the May meeting. There's nothing else on the agenda in May. So, if we don't do that, we won't have a meeting in May. So, I can kind of ask what the pleasure of the Commission is. If you want to just kind of roll up your sleeves and plow through the April meeting or maybe put that off and do it in May.

MR. BRADEN: As you said, I would get [inaudible].

MR. SCOTT: Yeah. It would probably easily be a three-hour meeting, I would imagine, so.

UNIDENTIFIED SPEAKER: [Inaudible; talking off mic]

MR. SCOTT: So, we would have it on the 20th of May. That's a good point, yeah. Thank you for bringing that up.

MS. DUKELOW: [Inaudible; talking off mic]

MR. SCOTT: So, it would be -- so, we have an agenda on the 29th, which I just listed off all those items, those three items. The Rock Creek Corridor Study would require a public hearing in front of the Planning Commission to be adopted as part of the Comprehensive Land Use Plan. So, we'd just kind of make that an appendix to the plan. So, the first step would be to have a public hearing from the Planning Commission. Then with your approval, take that to the City Council for formal adoption. So, we could have that, like I said, on the 29th of April, or we can do that in May, so.

MS. CULLINANE: It makes me no difference for what it's worth.

MR. SCOTT: Okay.

MR. BRADEN: I'd say if we're already busy in April, I would -- not of this huge deal anyway, but I'd probably prefer doing it in May.

MR. SCOTT: Okay.

MS. KNELLER: You said you'd prefer it in May.

MR. SCOTT: For May.

MR. BRADEN: May.

MR. LEE: Well, I have heard that there will be a lot of people here.

MR. SCOTT: Yeah. Yep. So --

UNIDENTIFIED SPEAKER: For Rock Creek?

MR. SCOTT: No, for Milhaus.

MR. LEE: Milhaus.

MR. SCOTT: Yeah. Yeah, we may have a --

MR. LEE: [Inaudible].

MR. SCOTT: Yeah. We'll have an audience on the 29th for the Milhaus project.

MS. DUKELOW: [Inaudible; talking off mic]

MR. SCOTT: Yeah.

MS. RICHARDS: Considering that, May.

MR. SCOTT: Yeah. So, let's just shoot for May, then, you know, we can have a -- a leisurely meeting. Like the consultants will be here so they can present the plan. You can ask questions and let's take our time with it. So, we'll do that. That meeting will be May 20th because of the holiday on the 27th.

Speaking of studies, we are about to wrap up our Bike/Ped study. And so, we will be having an open house on April 9th. It's from 6:00 to 8:00, and it's the Powell Community Center. And so the consultants will be there. It'll be a come and go type of open house. Opportunities to look at boards and to study those and ask questions of the consultants. That'll be kind of their final set of recommendations for the study. And then we'll kind of do the same process we did with the Rock Creek Corridor Study. So, we'll take that to the City Council Work Session in the future, and then bring it back to you all sometime this summer for consideration and the public hearing. And again, we'll adopt that as part of our comp plan.

We want that -- we want both studies really to be living, breathing documents that we don't lose track of. We don't want to just stick those on a shelf and forget about them. And both of them really are -- there's a lot of components within the comp plan that go back to those two studies. So, all those three kind of work together, which is our thought process for doing this.

My update on Mohawk Park Phase II, and I think that's regarding the small sidewalk and the -- what would be the southeast corner of the park.

MS. DUKELOW: Yeah.

MR. SCOTT: Yeah. Uh-huh. So, Commissioner Dukelow, I think lives in that neighborhood, pointed out to us in an e-mail that there's a small kind of sidewalk going from the path to the edge of the park to the street at the southeast corner of Mohawk Park. That's not shown in the plans that were considered by you all at the last meeting. And so, we kind of went back and sure enough there it is. And that was constructed as part of the Phase I improvements. So, I think and talking with Penn Almoney, our Director of Parks and Recreation, and our Public Works Department, it's probably best to go ahead and leave that there. Hate to tear out something we just installed, you know, not even a year ago. What we're going to do is probably create kind of a landing pad on the other side of the entrance to Milhaven. It's kind of a -- if you're walking out of

the park, that's kind of a place to go to, to sort of stand until you make your decision where you're going to go from there. And we have that and a couple of other places around town where we have crosswalks that kind of go to no sidewalk. We have a landing pad on the other end where at least somebody can stand and sort of decide where we're going to go from there.

And as kind of going back to the Bike/Ped study, one of the recommendations that'll come out of that study is a sidewalk on the north side of 67th Street from essentially the entrance of Milhaven, going east all the way to Nall. So, eventually that little, you know, sidewalk or whatever you want to call it, that connection point will have something to connect to in the future. So, it's kind of good to leave that there.

MS. CULLINANE: So, will there be a designated crosswalk on the road itself?

MR. SCOTT: On Milhaven, yeah.

MS. CULLINANE: Okay.

MR. SCOTT: We could provide a crosswalk in there, yeah.

MS. CULLINANE: There will be like striping.

MR. SCOTT: Uh-huh.

MS. DUKELOW: [Inaudible; talking off mic]

MR. SCOTT: Uh-huh.

MS. DUKELOW: I just want to make sure that you all are aware there's a monument on the other side too.

MR. SCOTT: There's a monument in the middle of the entrance, right? Both sides.

MS. DUKELOW: [Inaudible; talking off mic]

MR. SCOTT: Yeah.

MS. DUKELOW: [Inaudible; talking off mic]

MR. SCOTT: Yeah, we'll --

MS. DUKELOW: [Inaudible; talking off mic]

MR. SCOTT: Yeah. We'll figure out a workaround that, so.

And then finally a couple of events. We had Azura Credit Union ribbon cutting. April had -- Karie had April 21st, but it was actually March 21st. So, it's already come and gone.

MS. KNELLER: I keep wanting it to be April, I don't know.

MR. SCOTT: Yeah. But that was last Thursday. It was a very nice event. If you haven't seen it, it's a beautiful building. It's hard to believe it used to be a fast-food restaurant. But you're welcome to go in there and look around a little bit.

Then we have the city-wide cleanup on April 20th, Saturday, April 20th. And so that's always kind of a good community event. We get a lot of volunteers from the community that come out and spend the morning literally cleaning our city in response to Earth Day that's coming up. I think Earth Day may be on the 20th, I don't recall. But we always try to plan that event right around Earth Day.

And I think that's about it. You know, as I've told you before, the development applications are starting to slow down, so that the workload at least Karie and I are experiencing is starting to slow down a little bit. But we're starting to see now just kind of moving into the actual construction side.

So, Mission Bowl, of course, Phase I has been going great guns, and they're anticipating that they'll be complete later this summer and they'll start moving residents in.

MR. BRADEN: [Inaudible; talking off mic]. So, do you have any indication what the occupancy rate right now of Phase I will be?

MR. SCOTT: They're pre-selling. They're pre-leasing right now. So, they've got a pretty extensive list of applicants for pre-leasing. So, they're feeling very good about that. Yeah. So, they're thinking they'll probably be close to full occupancy, you know, once it's fully complete and up and running, and that ribbon has been cut, so yeah.

Phase II has been hampered a little bit because of the floodplain. That property, a portion of that property still sits in the floodplain, so the developer is kind of working through all of that right now with their engineers and figuring out kind of the critical path forward through FEMA to get the necessary approvals on FEMA's side, so. So, that's kind of slowed things a little bit down, but they're feeling confident they can get through that.

And then, of course, the Mission Vale townhomes is under construction now. We've seen that. Mr. Moffitt, who's building the three-story 58th and Nall project has been -- I've been in contact with him about finalizing the permitting process and he's kind of getting the last little loose ends of his incentive tied together. So, I anticipate he'll be coming in any day to pull his building permit for his project.

And then we have started the discussions with Block Real Estate Services about an incentive request for their property at 5665 Foxridge. So, I imagine we'll spend most of the summer working through that process, negotiating with them on the incentive package. And then I would imagine they'll probably get started on construction a year from now.

So, things are picking up. The school is going great guns. It's beautiful. If you haven't been by, I'd encourage you to go by and see it. And of course, we heard about the treatment plan tonight. So, a lot going on around town, that's for sure.

MS. KNELLER: I think Popeyes is about to start, too.

MR. SCOTT: Yeah.

MS. KNELLER: They just got permitting, construction permitting for Popeyes as well.

MR. SCOTT: I knew there was another restaurant out there I forgot about.

MS. CULLINANE: Yeah. That's looking rough on that corner, so I'm grateful for that.

MS. DUKELOW: And what [inaudible].

MR. SCOTT: I've been meaning to reach out to them. I don't know. They've gotten all their permits and everything that they need, and they have a dumpster out there and they had a bulldozer out there a few weeks ago but it's gone now. So, I'm not sure. I know there was some issues with closing on the property, but I thought they had gotten through all of that, so. Yeah. It's on my to-do list to reach out to them.

MS. KNELLER: The buildings on Martway too that are being demolished right now, yeah, we confirmed that the trees, the large trees on the site, that as long as it's not up against the building, anything will be saved as far as trees go, even if they're like decorative trees that aren't close by the building. So, if they're not interfering, like with the foundation and getting to take the foundation out, they should be fine.

MS. CULLINANE: I drove by, Robin, and saw some of them. They were barely hanging on.

MS. DUKELOW: What?

MS. CULLINANE: They're barely hanging.

MR. SCOTT: The trees?

MS. CULLINANE: Like they're, phew, right next to it.

MS. KNELLER: Oh, the smaller trees?

MS. CULLINANE: The larger trees.

MS. KNELLER: Oh.

MR. SCOTT: Yeah.

MS. KNELLER: Yeah. They're not supposed to be getting into taking those trees out at all.

MR. SCOTT: Yeah.

MS. KNELLER: That would be a completely different --

MS. CULLINANE: Yeah.

MS. KNELLER: -- process for them.

MS. CULLINANE: Which hopefully they're making it.

MS. KNELLER: And they're taking two buildings out now. I was told that they were going to be done by Tuesday. I don't think that's going to be done quite as soon as they

thought. But they're taking the two buildings out first, then hauling off all the debris, and then doing the last building after that.

MR. SCOTT: They've been doing a lot of salvage work out of the building, salvaging materials. And then the fire department was doing exercises there for a week or so. Cutting in --

MS. DUKELOW: [Inaudible; talking off mic]

MR. SCOTT: Yeah.

MS. DUKELOW: [Inaudible; talking off mic]

MR. SCOTT: Uh-huh.

MS. DUKELOW: [Inaudible; talking off mic] get the documents that they submitted? It's not customary to just leave them hanging out. You know what I mean?

MR. SCOTT: Yeah.

MS. DUKELOW: It's customary to protect them [inaudible] so that it's visible that they're being protected.

MR. SCOTT: Yeah. Yeah. We, honestly, we don't have any standards for that in our codes right now or processes. And that's one of the things we're actually looking at with our tree ordinance. We have a tree ordinance in place that drastically needs to be updated. And so we're looking at things about tree preservation and maintaining trees during construction processes and replacement trees and all of those things, so. Yeah. There's a lot of things that our codes are not standard. They need updating big time.

MS. KNELLER: We're definitely building in that tree protection into the ordinance that we're working on right now with Justin, Carol and Penn.

MR. SCOTT: Yeah. We submitted comments back to Milhaus today on their preliminary development plan application. We asked about preservation of the trees, so. Any other questions?

MS. SMITH: Back to the car battery place. What are they doing exactly with car batteries?

MR. SCOTT: So, they salvage car batteries out of existing cars. They clean them, refurbish them, and then they sell them to car dealers or other establishments as replacement batteries, essentially.

MS. KNELLER: Hybrid electric batteries specifically.

MR. SCOTT: Yeah. Hybrid electric primarily is what they're doing.

MS. SMITH: Not lithium. They're not --

MR. SCOTT: Well, the lithium ones are toxic, and that was our concern was they're going to be storing lithium batteries there. And then when we met with them, they said, no, we're not doing lithium. We're just doing -- lithium is more the true EV car. I mean,

like Karie was saying, these are more the hybrid car. This is the 10-year-old Honda Prius and those types of cars.

MR. KRAMER: And I've been talking with the Fire Chief and our building official about what conditions for that special use permit we should have in place. One of the processes would be that they would have an annual inspection. Fire Chief is very aware of the potential for them changing operations and storing lithium-ion batteries, and that would be a complete non-starter for us. We're also kind of keeping that special use permit on a short-term basis, more short term than we would on maybe some other operations because of that fact. Because it's in, you know, close proximity to a neighborhood. We are -- it's right next door. Like there's a, I don't know, an 8-foot alleyway, maybe between it and the federal post office building. And we want to make sure that their operations are going to be consistent with what they're saying in their special use permit, so those annual inspections. And we're going to see and make sure that they're going to be good neighbors over the short duration of the special use permit until they can renew again.

MR. BRADEN: Yeah. I'm not sure exactly what they're doing there, but in buildings when you've got batteries, usually battery charging or anything to do with batteries, there's got to be exhaust systems and stuff to pick up.

MS. KNELLER: So, the Fire Marshall has done his due diligence on what would be required for -- its sprinkler-ing the office area of the building. And because they're not lithium-ion batteries, they don't need to have the special process in place for dumping batteries that might combust into like a dumpster per se. That's all the Fire Marshall has really looked at as far as making sure that it's sprinkled and requiring that they get it sprinkled before they start operations at all. What they're doing is they're taking these batteries on pallets and separating right away and then distributing them. So, it's not long-term storage.

MR. BRADEN: So, they're not really processing there. It's just a sorting facility.

MS. KNELLER: They're not going to be putting them in cars. They're not doing -- they're taking pallets and then they're using it as a distribution center. So, they're taking the pallets with the batteries on them and then separating them out for -- to go to different distribution sites because they have several other operations in the region. I think Olathe, KCK.

MR. SCOTT: KCK. They're actually a national company. They've got locations all over the United States.

MR. BRADEN: [Inaudible; talking off mic]

MS. KNELLER: I'm thinking three years is what I thought would be kind of a reasonable because we just want to make sure that they're being good neighbors and that they're, you know, and then inspections are going well yearly. And so kind of keeping that on a tight, tight rein until we know that they're doing the operations that they should be doing there.

MR. BRADEN: Has staff [inaudible; talking off mic] since there's local examples of this, gone and see what the -- what those other facilities are, how they operate.

MR. SCOTT: Yeah. They've invited us out to their KCK location. We haven't gone out there yet. But yeah. They did extend an invitation for us to come out there and look.

MS. KNELLER: And so that operation was going to be basically the same as this operation here. So, you know, we kind of thought it might be a good idea to just visit it so that we could kind of get eyes on the operations. But again, trying to keep it on a short timeframe so that if there's -- if any issues arise that, you know, that short -- that short-term special use permit can be taken away as necessary if needed.

VIII. ADJOURNMENT

MS. DUKELOW: Mr. Chairman, I'll make a motion that we adjourn.

MR. SNYDER: Second.

MS. STEFFENS: Cynthia Smith.

MS. SMITH: Oh, aye. Sorry. Sorry.

MS. STEFFENS: Stuart Braden.

MR. BRADEN: Aye.

MS. STEFFENS: Mike Lee.

MR. LEE: Aye.

MS. STEFFENS: Amy Richards.

MR. LEE: She left.

MS. STEFFENS: Oh, that's right. Kelsey Brown.

MS. BROWN: Aye.

MS. STEFFENS: Wayne Snyder.

MR. SNYDER: Aye.

MS. STEFFENS: Megan Cullinane.

MS. CULLINANE: Aye.

MS. STEFFENS: Kevin Schmidt.

MR. SCHMIDT: Aye.

MS. STEFFENS: Adjourn.

Motion 5: Robin Dukelow - Ward IV/Wayne Snyder - Ward I: Adjourn.
Motion carried 7-0-0.

(Mission Planning Commission Meeting adjourned at 8:03 p.m.)

CERTIFICATE

I certify that the foregoing is a transcript to the best of my ability from the electronic sound recording of the proceedings in the above-entitled matter.

/das _____

April 5, 2024

Deborah A. Sweeney

APPROVED BY:

Kimberly Steffens, Permit Technician