OVERLAND PARK PLANNING COMMISSION MEETING

August 8, 2011

The Overland Park Planning Commission meeting was called to order at 1:30 p.m. by Mrs. Janie Thacker, Chair. The following members were present, constituting a quorum:

   Mr. Mike Flanagan, Vice Chair; Mr. Tom Lance; Mr. Edward “Ned” Reitzes; Mr. George Lund; Mr. David M. Hill; Mr. John Brake; Mr. Steve Troester; Mrs. Kim Sorensen; Mr. Bob Gadd; and Mr. Thomas Robinett.

Also present were: Mr. Jack Messer, Director of Planning and Development Services; Mrs. Leslie Karr, Manager of Current Planning; Mr. Steve Horner, Senior Assistant City Attorney; Mr. Mark Stuecheli, Senior Transportation Planner; Mr. Jason Beske, Ms. Danielle Zeigler, and Mr. Keith Gooch, Senior Planners; Mr. Aaron Dubois, Assistant Planner; Ms. Pam Fortun, Senior Storm Water Treatment Engineer; Ms. Alysen Abel, Civil Engineer II; Mr. Sandy Queen, Golf Course Operation Manager; Mr. Lloyd Nichols, Senior Help Desk Support Specialist; and Mrs. Barbara Potts, Recording Secretary. Approximately 50 people were in the audience.

Manager of Current Planning Leslie Karr welcomed the newest Planning Commissioner, Mr. Tom Robinett. She said that staff is looking forward to having him serve with the Planning Department staff.

Mrs. Karr also announced that this is the last meeting for Senior Planner Jason Beske, who has been the planner responsible for coordinating the adoption of the Form-Based Code. She explained that Mr. Beske will be going to Arlington County, Virginia, and his last day is Wednesday, August 10, 2011. She thanked him for his many contributions to the Planning Department.

On behalf of the Planning Commission, Chair Janie Thacker welcomed Mr. Robinett. She appreciated his service to the City. She also thanked Mr. Beske for all he has done for the City.


(Approved)

Mr. Tom Robinett stated that he will abstain from voting on the referenced meeting minutes, because he did not attend the meeting.

A motion was made by Mr. Robert Gadd to approve the July 11, 2011, Planning Commission meeting minutes, and Mr. Mike Flanagan seconded. The motion passed by a 10 to 0 to 1 vote, including the vote of Chair Thacker who voted on all agenda items. Mr. Robinett abstained from voting.
PLANNING COMMISSION COMMITTEE APPOINTMENTS

Mrs. Karr distributed an updated version of the Planning Commission Committee appointments to the Planning Commissioners.

CONSENT AGENDA

(Approved)

A. **FINAL DEVELOPMENT PLAN APPROVAL** – QuikTrip – 7681 West 151st Street. Application made by Quiktrip.


C. **FINAL DEVELOPMENT PLAN APPROVAL** – Abdallah Shrine Smoking Shelter – 5300 Metcalf. Application made by Abdallah Temple Building.

D. **FINAL DEVELOPMENT PLAN APPROVAL** – College Park Family Care Center – 10600 Mastin. Application made by Phelps Engineering, Inc.

E. **FINAL DEVELOPMENT PLAN APPROVAL** – AMLI at Clear Creek – 13590 Earnshaw. Application made by Danell Butell.


H. **SIGN APPROVAL** – Blue Valley Northwest Campus Signage – 13260 Switzer. Application made by Blue Valley Northwest High School.


J. **FINAL PLAT NO. 2011-22** – Young Estates – 15655 Nall. Application made by Payne and Brockway, P.A.

As indicated in the written Staff Comments, the Engineering staff was awaiting resubmission of a storm water study with details related to the downstream storm water issues. Mrs. Karr stated that the storm water issues have been resolved and, therefore, is ready to be heard. She indicated that all other Consent Agenda items are ready for approval.

Mr. David M. Hill said he will abstain from voting on the Consent Agenda items, because items H and I are associated with the Blue Valley School District.

Mr. Steve Troester moved to approve Consent Agenda items A through J, as stipulated. A second was made by Mr. George Lund, and the motion passed by a 10 to 0 to 1 vote. Mr. Hill abstained.
SPECIAL USE PERMIT NO. 2011-14 – 10500 Quivira. Special use permit requested for an indefinite period of time to allow a hospital. This property is currently zoned R-1, Single-Family Residential District, and CP-1, Planned Restricted Business District, and CP-O, Planned Office Building District. Application made by Overland Park Regional Medical Center.

(Continued)

Senior Planner Danielle Zeigler said the applicant, Overland Park Medical Center, is requesting approval of a special use permit for an indefinite period of time for the expansion of the existing hospital, located at 10500 Quivira. She explained that the hospital is located within a developed portion of the City at the northwest corner of Quivira and I-435. She indicated the Oak Park single-family subdivision is located adjacent to the north, and Pepper Point, a two-family residential subdivision, is located to the southwest of the hospital. To the south is I-435, and to the east across Quivira are a medical office building, a church, and the Lincoln Oaks apartment complex.

According to Ms. Zeigler, the residential zoning underlying the hospital has been in place since approximately 1965 when this area was added to the City boundaries. The commercial and office zonings have been in place since the late 1970s and early 1980s. The hospital was built around 1974, and in 1994, they applied for a special use permit to allow for expansion to bring the overall hospital to approximately 490,130 square feet. She explained that this is the approved plan that is currently in place.

There are two areas that have not been constructed under the currently approved plan. One area is the medical office building to the northeast of the existing building. The second area is to the south across 106th Street and is currently a surface parking lot, but a parking structure has been approved for that location. Ms. Zeigler stated that the previously approved parking structure was never constructed and is not currently planned to ever be built.

Ms. Zeigler referred to an aerial view that was taken in the spring of 2010. She pointed to the Pepper Point office building, which was added to the special use permit boundary. She explained that this area will ultimately be parking in a future phase of the hospital. In the current configuration, the hospital is central to the site with a drive and parking along the north that separates the hospital from the surrounding neighbors. At its closest point, the medical office building is approximately 110 feet from the shared property line with the residential properties.

The proposed expansion plan is a very long-term Master Plan for the hospital. The ultimate build out would be for 814,145 square feet, which is double the size of the current hospital at this location. To accommodate the additional square footage, Ms. Zeigler explained that there would be two parking structures. Based on the number of beds and the number of employees, as well as the square footage of the medical office building that is being proposed on the site, the applicant would be required to have 2,037 parking spaces. Their current plan shows 2,039 parking spaces, so the applicant is providing enough parking. However, with each of the phases for the additions to the hospital, the adequate parking will need to be evaluated to make certain that parking is being built at the same rate as the building.
Referring to a drawing of the subject area, Ms. Zeigler said she would identify the different expansion areas and highlight what is being proposed. To the northeast of the existing building is a new entrance and a seven-story bed tower. She commented that the ultimate build out for the seven stories would be approximately 117 feet in height and would be located approximately 49 feet from the shared property line. As she explained, the hospital advised that the bed tower will be built in phases with the initial construction of three stories, and the remaining stories will be constructed at a later date. To the east of the bed tower is one of the new parking structures that is 370 feet long and three-and-a-half levels, with a portion of the structure located below grade.

Ms. Zeigler showed a group of drawings that were done by the architect to provide a shade study to determine the impacts of the proposed new expansion on the neighbors to the north. The first drawing illustrates the amount of shade during the summer months, and the second drawing shows the amount of shade during the winter months. She explained that the drawings show the footprint of the tower and the shadow as it impacts the residential properties to the north.

Also to the north of the existing building is a central utility plant, which would house generators and cooling towers. The applicant has secured a consulting engineer to look at sound reduction measures, including insulated louvers, sound baffles, and screen walls. Currently, there is also a helipad along 106th Street on the ground level. With the improvements, Ms. Zeigler explained that the helipad would be moved to the roof of the building. In terms of the initial three-story phase, the helipad would be moved to the top of that building and, in the ultimate build out, the helipad would be moved to the roof of the ultimate tower height. With the relocation of the helipad, she indicated that a new women’s center entry is being proposed in that area.

Ms. Zeigler indicated that a three-story bed tower is shown to the west of the existing building; however, this portion of the expansion is the furthest down the road in terms of improvements being made. She said a six-level parking structure with three levels of medical office buildings will be over a portion of the three-story bed tower. The ultimate height of the parking garage and medical office building would be approximately 92 feet in height, and it would be located about 97 feet from the residential property line.

Currently, the hospital building is constructed of a reddish-brown brick. The material pallet provided by the applicant shows a stone with brick in shades of cream and gray. Staff has asked the Site Plan Review Committee to assess the building materials prior to the first final development plan, so that staff can see the integration of the existing building and the proposed buildings. In addition, Ms. Zeigler said the current parking garages are shown as pre-cast concrete, and staff has asked the applicant to consider dressing those up a little, so those will be details that will be reviewed with future final development plan applications.

Ms. Zeigler stated that a preliminary landscaping plan has been provided with this application. She explained that details will need to be looked at with future applications in terms of the widening of Quivira. Once the construction is finished in regard to the expansion of the hospital, staff will need to evaluate the street trees.
In addition, street trees are to be provided on the hospital’s property along both sides of 106th Street, as well as whatever is approved for buffering to the north between the hospital and residential properties.

As indicated in the written Staff Report, Ms. Zeigler said staff has a few concerns with this application. The main concerns are the height and proximity of the northern towers to the residential properties. The Unified Development Ordinance (UDO) limits the height of hospitals to 75 feet. In order to build to 75 feet, she explained that additional setback is required for each foot of height over the maximum height allowed in that zoning district. In that area of the hospital property that is zoned R-1, Single-Family Residential District, the maximum height is 35 feet. Therefore, with the additional setback that would be required to the height that the hospital is proposing, the tower to the northeast of the building would require an 89-foot setback, and it is shown with a 49-foot setback. She stated that the western parking garage/medical office building would need a 64-foot setback which is being provided.

Since the hospital is approved through a special use permit process, the Governing Body can evaluate the appropriate height and setback. With that being the case, staff had asked the applicant to look at stepping back the upper portion of the seven-story bed tower to minimize the shadow impact on the residential properties and to provide better privacy for the neighbors. In addition, the goals of the Comprehensive Plan call for transitions between hospitals and residential properties through similar building heights and buffering with fences and landscaping.

Staff is also concerned by the central utility plant proposed to the north of the existing building, which is in closer proximity to the residential properties. Ms. Zeigler indicated that generators and cooling towers will be located in this area which creates noise. She stated that the applicant has provided a memo from a consulting engineer in reference to the noise levels and proposed mitigation strategies. As she explained, previous plan iterations did not include this northern central plant addition, and staff had asked the applicant to reconsider placing a second facility of this type in its proposed location because of the potential impact on the neighboring home owners.

According to Ms. Zeigler, the written Staff Comments listed in detail the engineering issues that were evaluated with this project. Staff is comfortable that those issues will be resolved with the final development plan and construction plans.

Senior Transportation Planner Mark Stuecheli stated that staff required the applicant to retain a consultant to look at the traffic impacts in a traffic impact study. The consultant actually performed some counts to determine the current traffic situation that they could attribute to the hospital and used that information to select an appropriate trip generation. Referring to Table I in the written Staff Comments on page 20, he explained that this shows the various phases of the development in terms of the current traffic, Phase One (partial development of the site), and then the potential impacts when the site is fully developed.

Mr. Stuecheli mentioned the building on the south side of 106th Street, which is the KVC Behavioral Health Care office building. He explained that this building will remain at the current location through Phase One, but will then be removed to accommodate an expanded parking area for the hospital. He noted that this
particular building has an impact on the current trip generation. When the KVC Behavioral Health Care office building is removed, it will affect the number of trips that are currently associated with this particular use.

In regard to trip generation estimates, Mr. Stuecheli stated that it is also important to note what is happening concurrent with the subject development. Prior to the completion of the hospital expansion, the State of Kansas and the City of Overland Park have a couple of different projects that will affect Quivira. The State of Kansas project will consist of widening the bridge over I-435 and widening Quivira to six lanes up to 105th Street about the same time that the subject project will be starting. The City of Overland Park project will widen Quivira to six lanes from 105th Street to 99th Street, so the construction work will appear to be a single project. When both projects are completed, Quivira will be a six-lane roadway from 95th Street to College Boulevard. He pointed out that, even if the hospital expansion were not happening, the widening of Quivira will open things up and improve traffic conditions along this particular frontage. At the current time, he said there is quite a bit of delay associated with traffic at this particular location, and the ramps from I-435 carry a heavy volume of traffic onto Quivira, as well as to the 106th Street intersection, which is very close to the I-435 ramp. Because of the heavy volume of traffic, there is a lot of congestion at the intersection of 106th Street and Quivira. Therefore, the subject project involves some modifications to that intersection, including the addition of turn lanes and making some type of reconfigurations that staff believes will allow that intersection to work much better.

Referring to the Level of Service (LOS) calculations shown in Table II, Mr. Stuecheli said the results in Table II show that under the existing conditions plus the Phase One scenario, traffic conditions around the site will improve dramatically at the signalized intersections. He explained that delays at the unsignalized intersections are expected to be similar to current conditions. Those changes are due to the Quivira roadway widening projects and show the added traffic from Phase One expansion can easily be handled by the improved roadway.

Mr. Stuecheli referred to the intersection LOS in Table III showing that under the 2030 conditions, all of the signalized intersections will operate with delays in the desirable Level of Service D or better range. At the unsignalized intersections, only one of the movements, which is the eastbound left-turn movement out of the hospital drive and turning north onto Quivira, is projected to experience delays in the LOS E range. For unsignalized intersections, he said a delay worse than LOS D is not uncommon and considering that only nine vehicles are projected to attempt to make the eastbound left-turn movement, the impact is minor. He concluded that, overall, the difference in delays between the 1993 special use permit and the proposed full development results are relatively minor.

In summary, Ms. Zeigler stated that staff is supportive of the expansion of the hospital to meet the long-term health care needs of the City and larger metropolitan area, especially since adequate parking is being provided, traffic impacts are not too great, and storm water drainage concerns are being addressed. However, staff does have concerns about the potential negative impacts on the surrounding neighborhoods, particularly the Oak Park subdivision residents to the north, with the height and setbacks of the proposed additions.
Due to the potential negative impacts, Ms. Zeigler said staff is not able to recommend support of the proposed expansion and would recommend continuance of Special Use Permit No. 2011-14. If a continuance is granted, the staff would ask that the applicant consider stepping back the proposed seven-story addition and relocating the northern central utility plant as previously discussed, along with any other items of concern that the Planning Commission might have or that might arise during the public hearing. However, should the Planning Commission find the application acceptable as proposed, staff would recommend stipulations a through y as outlined. She offered to answer questions.

When asked by Mr. Tom Lance if there is a timeline for completion of the hospital expansion, Mr. Stuecheli replied that his understanding is the new facility would not open until after the street improvements are completed.

Mr. Edward “Ned” Reitzes said that during the presentation, it was mentioned that the applicant needed to be “stepping back the northern addition.” He asked for clarification of those comments.

Ms. Zeigler explained that, if the hospital’s long-term goal is to build seven stories, staff’s request is that the seven stories not be built to the proposed 49-foot setback. Staff is suggesting that the upper levels of the building be pulled back from that edge to prevent the full seven stories from being on the same setback line. She believed this would be less imposing on the residential properties and, hopefully, minimize the shadow from the hospital building onto the residential property owners to the north.

In response to Mr. Reitzes’ inquiry regarding the minimum setback for residential properties, Ms. Zeigler said a side yard setback is seven feet, and a rear yard setback is 25 feet. She explained that the currently approved hospital expansion plan shows a 49-foot or 50-foot setback, but that was to the drive and parking area.

Ms. Gay Nord, CEO of Overland Park Regional Medical Center, 10500 Quivira, thanked the Planning Commission for the opportunity to present her request. She indicated that she would like to give a brief overview of information regarding the hospital and then she will address the concerns. She believed that once their their architect speaks to them, the concerns that were noted will be resolved.

As stated by Ms. Nord, the Overland Park Regional Medical Center has been providing care to patients for over 33 years. This location has the only trauma center in Johnson County. She explained that they are a regional referral center, providing care to patients spanning 13 counties. The Overland Park Regional Medical Center also has the area’s largest neonatal ICU. In addition, the hospital provides $13 million in charity care annually to patients, and provides jobs to more than 1,200 employees. They support local businesses and vendors and contribute approximately $8 million annually to the local tax base.

Ms. Nord said there is a short-term and a long-term plan. She explained that the short-term plan consists of the three-story bed tower, the multi-level parking garage, the new emergency department, and the dedicated women’s hospital entrance. The long-term plan consists of up to four additional patient floors added to the existing tower, the addition of a medical office building, an additional parking garage, the addition of a second patient tower, and an operating room expansion.
Ms. Nord reiterated that the proposed updates are to convert all of their semi-private rooms to private rooms to improve patient satisfaction, to construct a new emergency department, which will alleviate capacity constraints for emergency care and emergency trauma care, expand our facilities for cardiovascular, stroke, and aneurism care, add more parking to alleviate not only their parking constraints, but also provide covered parking, add additional square footage to improve privacy for their patients, increase capacity for family waiting, patient education, and dining for patients and family. The final update is to add a dedicated women’s hospital entrance and lobby with emergency access to the existing obstetrics floor.

Ms. Nord stated that this concludes her presentation. She would like to segue to their architect and project manager, Ms. Kelly Whitney, who will give the Planning Commission more of the details.

Ms. Kelly Whitney, architect and project manager, representing the property at 10500 Quivira in Overland Park, referred to a slide showing the existing hospital, bed tower, and Medical Office Building (MOB). She explained that the second slide identifies the Master Plan Site Plan, which will be done in phases. She said some concerns were raised in regard to the central plant location near Oak Park neighborhood. At the time they submitted the special use permit to the City, they were in debate on where they could place the central plant location due to some locations of existing utilities. As she explained, they are proposing to take the central plant location off the table and leave the central plant location in the back of the hospital. She added that this will also address some of the concerns about the step back or setback that has been requested as well. She showed slides to address site sections.

In terms of the site lines at the back of the hospital where the west addition is located, they were talking about the six-story parking garage and the three-story MOB. The property line is 97 feet to the edge of the building and then from a site line, a person could see mature trees and everything around the level of the structure.

Ms. Whitney said the applicant had proposed the seven-story structure with a flat surface, no setbacks, which would basically take 30 feet out of the building, and reduce about six patient beds per floor, which impacts the staffing ratios for the hospital. The hospital would prefer to have the seven-story structure without the setback, but they are willing to agree to the setback at the fifth level, which is at 74 feet, 6 inches, above the first floor. The site section that identifies the parking structure is 49 feet from the edge of the property line to the structure itself. She commented that the two-and-a-half floors are below grade, depending on the grading of the property.

Ms. Whitney showed several different views in terms of the hospital and the residential neighborhood to the north in reference to what the setback would entail. Also shown was the model during summer solstice and winter solstice. During the summer months, she believed the shadowing from the hospital building would not affect the neighbors. In the winter, she said there will be a few minor effects for some of the neighbors. She added that there will also need to be some grading to the property during the project.

Mr. Lance asked if there is a timeline for each phase to be completed.
Ms. Whitney said she can speak for the first phase, because that is currently under development. The applicant is planning to issue documents for the final development plan at the December 2011 meeting and, hopefully, to receive permits by March 15, 2012. She anticipated that it will take approximately two-and-a-half years to complete the multiple phases of the project.

Mr. Troester asked what makes for an efficient hospital floor plan.

Ms. Whitney replied that when designing hospitals, she looks at 12-bed modules. The ideal module has three patient modules, allowing an even number of patient beds and with a staffing ratio of six patients to one nurse. She explained that a 36-bed unit is the most efficient unit.

Mr. Troester said he usually is not an advocate for more parking, but it seems as though there is always a parking deficit at Overland Park Regional Medical Center. Although the 2,037 parking spaces may meet the code requirements, he questioned whether it would address that deficit.

Ms. Whitney said in the first phase, the applicant is building a three-story bed tower and a 430-space parking structure, so it will be more parking than needed for the first phase. She explained that for the efficiencies of construction, they need to build what they will need in the future. The applicant has evaluated the parking requirements and feels confident that the parking being provided will be adequate.

Chair Thacker said it is her understanding that the existing location of the helipad will be changed. She commented that the helipad is currently located at ground level on the south side of the subject property. However, during Phase One, the helipad will be moved to the top of the three-story bed tower, which is closer to the residential area. She expressed concern that the noise from the helicopter would bother the residents, especially during the late night or early morning hours. She asked if it would be possible to move the helipad elsewhere.

Ms. Whitney assured the Planning Commission that the applicant conducted an evaluation of location on the top of the three-story bed tower due to restrictions of interference and the Federal Aviation Association (FAA) requirements. In order to become more efficient and to decrease the amount of time it would take to deliver the injured person to the emergency room of the hospital, the applicant found the best place to move the helipad would be to the top of the bed tower. She indicated that they tried to locate it as far away from the Oak Park neighborhood as possible, but discovered that the flight path would be the same as what they currently have, so there should not be an impact on the Oak Park residents.

When asked by Mr. Reitzes how many parking spaces the applicant is allotting to the parking garage, Ms. Whitney said the 430-parking space garage is being built for the tower itself.

Mr. Reitzes questioned how many patient beds are being anticipated for the tower.

After converting the semi-private beds to private beds, Ms. Nord said there will be an additional 33 to 40 beds, so there will not be a large increase in the number of patient beds.
In reference to the earlier point made regarding the deficit in parking, Ms. Nord explained that the parking addition will accommodate the deficit, as well as allow for the expansion.

Mr. Reitzes asked whether the three-and-a-half level parking structure will be adequate for the seven-story tower and the medical office buildings.

Ms. Nord explained that the three-and-a-half story parking structure is to support the three-story tower. When the hospital constructs the seven floors, there will be a second parking garage constructed on the opposite side of the campus. She stated that the parking at the Pepper Point residential subdivision entrance will be used for staff parking, which will offload some of the existing parking in the current parking lots. She believed this will help support patient and visitor parking, so they will be closer to the main entrance to the hospital. In terms of the medical office building parking, the employee parking will be at the Pepper Point entrance, which will allow more parking on the west side of the campus for people entering the medical office building.

Mr. Gadd expressed concern about the new location of the helipad on the top of the tower, which is closer to the residential area. In his opinion, the noise would be upsetting to the residents in the Oak Park subdivision, especially when it occurred in the middle of the night.

Ms. Whitney reiterated that the flight path is currently from the same direction and the helicopter would be landing on top of the tower above the residential homes.

Mr. Gadd believed the noise from the helicopter would be fairly loud and would still affect the residents.

Mr. Lance believed the parking lot at Pepper Point is too far from the hospital. He asked if there will be any security considerations for the employees who work later hours.

Ms. Nord assured the Planning Commission that security will be available to walk with the staff to their vehicles. She added that security will also be shuttling staff from that lot with golf carts to the main hospital.

Chair Thacker opened the public hearing for Special Use Permit No. 2011-14 and requested that each person speak for only three minutes. She also requested that questions be addressed to the Planning Commission. If there are any questions for the applicant or City staff, she will have the appropriate persons respond at the close of the public hearing.

Ms. Deb Harper stated that she is speaking on behalf of her parents, Frank and Nedra Turner, who live at 11901 W. 105th Street. She explained that their house is located on the corner of 105th Street and Quivira. They have expressed several concerns. One of their concerns is the setback from the hospital, because their backyard will abut the three-story parking garage. Her parents feel the setback is insufficient for a high-density plan that is adjacent to their residential property. A second concern is the lack of screening between their property and the hospital, because there is not an adequate amount of trees between their property and the subject property. In the winter months when the leaves are off the trees, there will be minimum screening.
Ms. Harper added that they are also concerned about the lights from cars shining into the residential houses when people are entering the hospital parking garage. Another concern is the noise generated from the cooling plant. In conclusion, the parking garage is their main issue, because of the noise from cars honking, car alarms, and people talking. Her parents are also concerned about the gas fumes, trash, and debris from the parking garage. In addition, the parking garage invites crime. As she explained, she has been in law enforcement for 15 years, and the issue of crime cannot be ignored. From experience, parking garages are known for car thefts, car burglaries, assaults and all types of crimes.

Ms. Harper believed the expansion of the Overland Park Regional Medical Center will only exacerbate the traffic along Quivira. Because her parents are in their 80s and 90s, she wants to be able to reach them if an urgent issue should arise. She worries that she might have to sit in heavy traffic for 10 to 15 minutes and would possibly have to abandon her vehicle and walk to her parents’ house. In summary, the expansion to the hospital is going to have a negative impact on the surrounding area. She understands that the Overland Park Regional Medical Center is a for-profit hospital, and their patients are their primary concern. She just hopes the Planning Commission will have the residential property owners as their primary concern.

Dr. Darby Trotter, 10448 Caenen, Oak Park subdivision, stated that his property is directly impacted by the proposed expansion plan of the Overland Park Regional Medical Center. In order to save the Planning Commission some time, he explained that 20 residents from his neighborhood asked him to present a joint opinion. He asked if he could be allowed to speak for a little more than the three minutes as requested.

Chair Thacker agreed to give Dr. Trotter some additional time to speak for the other residents.

Dr. Trotter explained that, first, it would be wrong for the Planning Commission to assume this is an anti-hospital comment, because many of the residents have given birth to children at this hospital and sought medical treatment at Overland Park Regional Medical Center.

According to Dr. Trotter, the residents attended an information forum hosted by the hospital regarding the proposed expansion. He explained that the hospital representative largely focused on the hospital’s plans and the reasons they believed the expansion to be necessary. The representative asserted that to remain competitive with other hospitals, they needed to expand and update their facility. Other reasons consisted of needing more private rooms to attract patients, more beds for a growing community, and more organized treatment systems to provide better care, as well as to be able to attract and retain good staff.

Although the residents understand the hospital’s issues, the desire to improve their facility, and that the needs of the applicant are realistic, Mr. Trotter said the residents feel nothing is sufficiently meritorious as to justify the failure to meet even the most generous standards of development, including community sensitivity. In the opinion of the Oak Park residents, the proposed expansion is significantly flawed. As he explained, one of the most glaring shortcomings of the construction plan is that it does not address whether or not there is sufficient space on their campus to accommodate the level of expansion they propose. In addition, there was no evidence of any study
regarding the effect of this expansion on the neighboring community. For example, expansion to most high-density commercial areas to low-density residential areas usually place ample buffers between the commercial development and residential neighborhoods. In this case, he pointed out that the hospital's expansion plan proposal is totally inverted.

Dr. Trotter stated that there is no evidence of any study regarding the effect of this expansion on the neighboring community. He indicated that no report was given on the effect of heightened noise and lighting pollution, nor did they review anticipated changes in traffic congestion. He added that there was no report on the degree to which the proposed construction might cause a major loss of privacy for the adjacent residential community.

In the opinion of the Oak Park residents, there was every indication that the planners completely overlooked the residential community. While ample attention has been paid to the location of hospital services, such as the helicopter pad, Dr. Trotter pointed out that no corresponding attention has been paid to these decisions relative to the tolerance of the adjacent neighborhood. He believed the proposed plan is dramatically intrusive and out of scale for the community on the north. Currently, favorable topography and mature trees tend to soften the line of sight and ensure some privacy from the hospital, but the proposed structure defeats these advantages.

According to Mr. Trotter, sustainable communities are established and maintained only through collaborative efforts of all partners. He believed the hospital planners have been too consumed with correcting internal problems that they have failed to make use of its available resources, particularly the unique history of the area. He indicated that the park to the west of the hospital has significant historical roots, and it is part of a recognized historic site that was a camping place for wagon trains on the Santa Fe and Oregon Trails. His concern is that instead of opening the area for the public, the hospital blocks visibility so they have exclusive use of the park. Dr. Trotter stated that however valid the needs are for the expansion, the Oak Park residents assert that all decisions must first consider the impact on the residents in the neighborhood, as well as the obvious consequences with respect to changes in property value, particularly if it leads to increased levels of foreclosures. In his opinion, the present plans will harm those residents with limited capital, such as young families and retired citizens. As constituted, a perfectly nice neighborhood will be sacrificed to enable this development. The proposed plan is clearly intrusive. For example, a seven-story structure will be built only 50 feet from the property line of the neighboring community. Without a doubt, he expressed concern that the current hospital plans will dramatically alter the suburban space of a neighborhood that pre-existed its inclusion and will introduce unknown lighting and noise pollution with this proposed expansion.

Dr. Trotter hoped the Planning Commission will reject approval of these plans in favor of a directed request for the hospital to develop plans that will protect the surrounding neighborhood, as well as the community heritage, as it attempts to expand the medical facility. He has highlighted a number of issues that the residents feel should be resolved. He explained that the residents are open to meeting with the applicant to help the hospital in this pursuit, and many are offering to form a Community Planning Committee to meet with the applicant. He added that one of the residents, Mr. Dennis Panghorn, who lives at 10440 Caenen, is prepared to head the Community Planning Committee.
In conclusion, Mr. Trotter stated that the Oak Park residents believe final approval of the hospital expansion should only be granted when the hospital demonstrates a history of working with the Community Planning Committee and is able to present plans that reflect a reasonable attempt to accommodate the host community. He thanked the Planning Commission and City staff for the opportunity to speak during the public hearing.

Mr. Jeff Milligan, 10449 Oakmont, said all three of his children were born at Overland Park Regional Center, and his family has used the hospital on a couple of occasions. He said the residents do not want to be obstructionists, because they are supportive of what the applicant wants to do. However, they just want to make certain that proper consideration is given to the dignity of the neighborhood in which they have chosen to live. He also wants to ensure that they are living in a family community, so when neighbors are outside in their backyard or looking out their windows, that they are not necessarily seeing large commercial high-rise buildings. His concern is that the proper sensitivities are taken to make certain their property values are going to remain in tact, as well as the environmental impact to make sure they can continue to accomplish what they need to as a family. He stated that he has volunteered to be a member of the Community Planning Committee. Many of the surrounding residents expressed the same sentiment, which is that they want the hospital to succeed, but they also want to ensure that the interests of the neighborhood are fully appreciated and taken into consideration.

Mr. Jim Walter, 10432 Caenen, echoed the comments made by the preceding speakers. He indicated that all four of his children were born at the hospital and, during that time, the hospital had three different names. He appreciates the hospital and what they do. His biggest concern is the height and the proximity of this expansion to his neighborhood. He lived at this location when the helicopter used to land on the hospital roof. When they moved the helipad to the other side, he did not notice it landing most of the time. If the helipad is placed back on the 117-foot roof, the landing of the helicopter will be noticed and heard more often by the residents. He has walked the subject property many times over the years, as well as through the park. He expressed concern regarding the proposed facility plant that will be located adjacent to the back doors of their neighborhood, which will be very noisy. There are no trees or landscaping that will screen the 117-foot roof where the helipad will be placed. He pointed out that a person cannot landscape noise or security. He said the neighbors are willing to meet with the applicant and are willing to forge a compromise. He thanked them for their time.

Mr. Darik Fritz, 12253 W. 105th Street, said he is directly behind the hospital structure and “catty-corner” to the property. He was looking at some of the solstice views, and during the winter, his house would be completely saturated with shadow from the hospital expansion. He also expressed concern about the fuel and fumes from the helicopter, while it is hovering over the houses for five to ten minutes at a time.

Mr. Fritz stated that he has a two-and-a-half year old child and a four-day old baby that were born at this hospital, and he has had a total of three children born at Overland Park Regional Medical Center. Similar to what the other speakers have said, they also appreciate the hospital and its quality staff. However, in his opinion, the hospital is not working with the community to make it better for the surrounding residential neighborhoods.
In regard to the pre-approved second phase of this expansion, there will be a seven-story building, which is actually supposed to be eight stories with the parapet walls on top of the seven-story finished roofline. As pointed out by Mr. Fritz, this building will block his entire view, and he will also have noise pollution from the construction. He believed other things could be done to alleviate these problems, such as moving the parking structure back where the existing parking area is located. He believed this would help the neighbors on the east side of 105th Street. He suggested the construction of an eight-foot fence structure with a gate or an opening to allow access to the hospital.

Mr. Tony Ross, 12245 W. 105th Street, said he agrees with the comments made by Dr. Trotter. He believed this expansion is too close to single-family residential homes in the Oak Park subdivision. He lives in the eighth house from Quivira, which is directly across from the middle of the seven-foot bed tower. The shade from this tower will keep snow from melting in his yard, and plants will not grow as well as they should in full sunlight. He did not actually anticipate that the shadow line would completely cover his house. He believed that seven months with no sunlight on his house is an intolerable suggestion by the hospital. He indicated that views from homes in the Oak Park subdivision will be blocked by the 115-foot wall. At night, lights will shine into home windows.

As explained by Mr. Ross, the existing hospital is located down in somewhat of a valley, so the structure is receded. When constructing the expansion, the hospital expansion will move up the hill and closer to their houses. He indicated that the residents’ privacy and safety will be compromised. Since the additional hospital structures are taller than the residential homes, hospital visitors or workers will be able to look down into residential home windows or into their yards where children play. His concern is that some of these strangers could be predators.

Mr. Ross said the noise and general pollution of such an industrial building will be a mess. He imagined there would be traffic backups in the above-ground parking and the impatient honking of drivers at all hours of the day and night next to their homes. If the Planning Commission and City staff would add up these distractions, he believed they would see a devaluation of their properties. He asked if the hospital is going to compensate any of the residents for all these losses to their homes and lifestyle. In his opinion, the first family who has to move because of a job change and does not have the equity to drop the price, foreclosure is next, and that is followed by deteriorating properties and further price losses and, eventually, a neighborhood lost. For all of these reasons, he requested that the Planning Commission reject the current plan and ask for a new plan that takes into account the effect that these structures will have on the neighborhoods around the hospital. He also suggested that the Planning Commission take into account Dr. Trotter’s plan, ideas, and the history of Overland Park as a park like city and come up with a new, smaller, less invasive plan.

After confirming that no one else wished to speak, Chair Thacker declared the public hearing closed.

In regard to the question relative to the concern of parking structure lights, Ms. Whitney, architect and project manager, indicated that there will be a four-foot parapet wall on the parking structure to block car lights from shining directly into the neighboring properties.
Ms. Whitney reiterated that the applicant has removed the cooling plant from the central location, so that concern does not need to be addressed.

In terms of the landscaping, Ms. Whitney assured the Planning Commission that they will work closely with the City of Overland Park and have discussions along the way. The landscaping plan is to plant evergreen trees along the view, so in the winter and summer months, the leaves are fully on the trees. They are planning to heavily tree the area to keep visualization down for the neighbors.

In reference to the parking structure, Ms. Whitney commented that the applicant could berm the land up from the parking structure, where it is not so intrusive, but the negative impact of berming would mean they would lose a lot of the mature trees. She said they could do a living screen on the parking structure, and that would satisfy as well. She indicated that this is the first time she has heard about the requested fence. If, however, it is allowable, the applicant would be happy to build it.

Ms. Whitney referred to the remark about trying to move the expansion across the street or to I-435. As she explained, the applicant would have to physically pick up the entire hospital and move it to make it function. In order to retain the front edge and the main entrance on Quivira, and because the Medical Office Building is not currently owned by the hospital, the hospital is landlocked on the placement of the tower to meet the demands and requirements to run a hospital efficiently.

In terms of the winter solstice, which a resident expressed concern that his entire home would totally shade his house, Ms. Whitney explained that because of the setback, the house would only be in shadows during certain hours of the day.

Ms. Nord stated that she would like to address the concern regarding the location of the helipad on the roofline. When the helipad was located on the ground, there were times when the hospital had to shut down 106th Street to actually land the aircraft. She assured the Planning Commission that the flight path of the helicopter will not change, because they have also taken into account that there are emergently ill patients on the aircraft, and they need to get those patients to the facility as quickly as possible.

Chair Thacker recalled that there were some privacy and security concerns expressed due to the tall hospital structures adjacent to residential homes. She asked the applicant to address that issue.

Looking from the vantage point out the windows of the facility, Ms. Nord said that patients occupy those rooms. She stated that blinds will be on all of the rooms at the hospital. To date, she said there have been no issues raised as were described by the resident during the public hearing. She assured the Planning Commission that the hospital has security within the organization that they take security very seriously. She explained that the hospital has security that monitors visitors and people entering and exiting the building. She can appreciate the concern, but assured the residents that they will continue their monitoring and security efforts as they currently do.

As indicated by a couple of people who spoke during the public hearing, Chair Thacker said some of the residents have talked about organizing a Community Planning Committee to work on issues of concern. She inquired whether the applicant would be open to meeting with the Community Planning Committee to discuss these issues.
Ms. Nord stated that they received a lot of great feedback from the residents when they invited property owners to meet with the applicant. In fact, some of the things the hospital has put into place were based on that information provided by the residents. The applicant appreciates the feedback, and they feel like they have addressed a long list of issues that were discussed. She stated that the hospital would be happy to continue to meet with the Community Planning Committee. She informed the City that they are in the middle of the process and have timelines to meet; however, the hospital is open to suggestions.

Chair Thacker indicated that one of the questions related to the location of the parking garage and the close proximity to the property lines. She asked the applicant to address that issue.

Ms. Whitney said the parking garage and the location to the property line was a single-loaded parking lane that currently goes into the hospital. She referred to the map showing the location of surface parking as a buffer, but the parking garage needs to be in a different location due to access to the hospital. She explained that the hospital is very limited on the placement of the parking garage, because the drive is actually the ambulance entrance into the new emergency department and access to the emergency department cannot be impeded. She stated that the applicant reviewed that and found it would not work anywhere else on the hospital property.

Mr. Flanagan asked if the applicant has an idea of how many helicopter events they might have in one week, so he could have some point of reference.

Ms. Nord said she does not have the numbers with her, but she would imagine that there would be one event per week.

Mr. Flanagan said that, in his mind, he could not understand why the plan could not be flipped over to the I-435 area. Referring to the map, he commented that in the lower left corner is parking for staff, and in the hatched area or floodplain, nothing can be built. He believed that when moving towards the east, the parking area is associated with the existing medical office building, which is not connected to the hospital.

Ms. Nord clarified that the parking area to the east is owned by a third party. She said the hospital is required, contractually, to provide that parking to the medical office building.

To address the first question regarding the placement of the tower, Ms. Nord believed that was the biggest challenge. She explained that the placement of this tower was related to direct patient care. The operating room and the “cath” labs are emergency services and are located on the first floor, because emergency technicians need to quickly get a patient to those areas after entering the hospital. As she explained, the challenge is trying to connect the expansion to be able to deliver patients to the appropriate areas in the shortest amount of time. She stated that they have been working on this new system for two years, and they looked at placement everywhere on this campus. Because of what she just described, they came back to this location.

If the Planning Commission gives approval, Mr. Troester asked if the approval would include the full seven stories.
Ms. Zeigler said that is correct. She explained that today, the Planning Commission would be approving the overall Master Plan for the hospital. She added that final development plans have to be done with each phase of the construction. She clarified that the remaining construction could be built in the future, but the actual approval would be for all phases.

In response to Chair Thacker’s inquiry regarding the types of services located in the three-story addition, Ms. Nord explained that the bottom floor is for surgery, and the top two floors are bed towers.

Chair Thacker asked if the three-story structure would be a different specialty area or whether it would serve the same function and type of patients as the seven-story structure.

Ms. Nord explained that the three-story structure would be associated with potential neonatal services, pediatric services, and women’s services.

In response to Chair Thacker’s inquiry whether the applicant is in agreement with stipulations a through y, Ms. Nord verified that they agree with all of the stipulations.

Mr. Flanagan commented that the original recommendation by staff was for a continuance to enable the applicant to review the cooling station and setbacks. Since the applicant has addressed most of those issues, except for the setbacks, he inquired whether staff’s recommendation would still be for a continuance.

Ms. Zeigler believed the hospital is moving in a positive direction, which is appreciated by the City staff; however, staff would like the opportunity to look at the plans a little longer and work out some additional details prior to moving forward to the City Council.

Mr. Brake believed the expansion of Overland Park Regional Medical Center is a very challenging project. He has some understanding of the functionality requirements to have the services desired, as well as the use of helicopters and the location of the helipad. He believed they cannot redo the hospital and cannot change the major items without an expansion. He further believed the applicant is moving in the right direction to do the best job possible and still be able to retain the necessary continuity, functionality, and location of the facility.

Since this item is not in an urgent situation, Mr. Brake said he would like to see Special Use Permit No. 2011-14 continued and returned to staff so they can meet with the applicant to go over the details. He believed the basic plan could be approved after some negotiations with the City staff.

Mr. Lance stated that, in his opinion, this is a tremendously difficult project. He explained that the hospital has different types of systems and floor requirements, and to attach additional requirements onto the existing facility make it even more difficult. He would be in favor of a continuation to allow staff more time to digest a very complex project. He would hope the applicant and the neighbors would be able to have one or two sessions to review their issues and determine the possibilities in making some adjustments.
Mr. Reitzes believed this is a very complex project, as well as a very important project for the City of Overland Park, which needs to be done correctly. In his opinion, they are on the right path and getting closer to a resolution that will, hopefully, be satisfactory for all parties concerned. He would also be in favor of a continuance.

A motion was made by Mr. Reitzes to continue Special Use Permit No. 2011-14 for the expansion of Overland Park Regional Medical Center, located at 10500 Quivira, to the September 12, 2011, Planning Commission meeting. Mr. Brake seconded the motion.

When asked by Chair Thacker if the September 12, 2011, Planning Commission meeting would be an acceptable timeframe for the applicant, Ms. Whitney stated that the applicant would be able to meet the September 12, 2011, deadline.

Ms. Whitney commented, however, that a continuance will delay work on this project. She said the applicant is requesting approval of Special Use Permit No. 2011-14 at this time to be able to move forward to meet some code deadlines by March 15, 2012. She explained that there will be a significant impact to the project if they cannot meet the deadline for the base building of the project, which would mainly affect the emergency department, as well as the bed tower. Therefore, the applicant is asking for approval, not a continuance.

Mr. Gadd inquired whether they can work into the motion that the applicant is required to meet with the home owners. He believed it is not only important to satisfy staff, but to also satisfy the homes association.

Chair Thacker believed the Planning Commission can suggest to the applicant that they meet with the homes association. When she asked staff if there is precedent on that, Ms. Zeigler replied that she is not aware of one; however, the Planning Commission is able to make the recommendation that they feel is appropriate.

Mrs. Karr recalled that when there have been neighborhood concerns in the past regarding a project, staff has asked the applicant to meet with neighbors to discuss the issues. She stated that this is within the Planning Commission’s purview.

Mr. Hill said he will be voting in favor of the motion. However, he would like some consideration given to requiring the applicant to meet with the Site Plan Review Committee between now and September 12th. In his opinion, there are a number of issues which he felt the Site Plan Review Committee could have some positive impact. He also suggested that the project manager/architect be available for that meeting as well.

Chair Thacker believed there are many aspects to this project that make it difficult on this site. She would like to see a lot of consideration given to the issue of the parking garage. As she understands from the written Staff Comments, there are not many features on the parking garage that make it very architecturally pleasing. Although it would be preferable to move the parking garage away from the property line, she believed it is important to recognize that there are plenty of ways to minimize the view of the parking garage. She would appreciate some definite work on the parking garage in any way that minimizes its appearance to the neighbors.
Mr. Troester said he would like to see the hospital expansion move forward; however, given sizeable expansion and the complex nature of it, he agreed with Mr. Reitzes’ point that the project needs further consideration in terms of the impact to the neighbors. He supports the recommendation to continue Special Use Permit No. 2011-14 to the September 12, 2011, Planning Commission meeting.

Mrs. Kim Sorensen concurred with all of her fellow commissioners. Her only request is that when the Site Plan Review Committee reviews this plan, they seriously consider preservation of the existing trees in lieu of building a berm. In her opinion, the existing trees are beneficial to the site.

The motion to continue Special Use Permit No. 2011-14 to the September 12, 2011, Planning Commission meeting passed unanimously.

REVISED PRELIMINARY PLAN APPROVAL – Solera Salon Center – 12020 Blue Valley Parkway. Application made by Hancoop at Overland Park, L.L.C.

(Approved)

Ms. Zeigler said the applicant is requesting approval of a revised preliminary plan for changes to be made to an existing commercial building. She referred to an aerial photo and pointed to the single-story, L-shaped, multi-tenant building that currently occupies this site. She explained that the applicant is proposing to demolish the east/west portion of the existing building in order to build a separate two-story salon and spa building.

According to Ms. Zeigler, the existing building is approximately 27,559 square feet in area, and with the proposed changes, the overall building area on site would be 34,788 square feet. Although this site is in a larger commercial area, it is zoned as its own separate development. Because of the increases in building height and area, she indicated that a public hearing is required as part of the consideration of this revised preliminary plan.

Based on the proposed building area, Ms. Zeigler said that 140 parking spaces are required, and all 140 spaces are being provided. Landscaping is being shown in areas at the base of the new building, and the existing landscaping around the perimeter of the site is proposed to remain. Since this site does not meet the current parking requirements to add landscaped parking islands because there are no parking spaces that can be eliminated, the applicant has agreed to increase the amount of landscaping around the perimeter of the site. She commented that the landscape plan will be reviewed in greater detail at the time of final development plan approval.

The existing building was constructed in 2000. The building materials selected at that time included brick, stone, and standing seam metal roofing to match the adjacent Pinnacle Village commercial development. Since this development was zoned separately, Ms. Zeigler said staff is comfortable with the applicant’s proposal to establish a unique identity for the existing building and new salon. The new salon building is proposed to be constructed of stone and EIFS with concrete tile roofing. Accents of metal, wood, and fabric awnings are also proposed. She mentioned that the building materials being proposed would be used to clad the portion of the existing building that will remain with the exception of an area on the west elevation facing the service drive, which will remain brick.
Ms. Zeigler indicated that the proposed monument sign and the two wall signs shown on the east elevation would require deviations with the upcoming final development plan application. She explained that the monument sign would be limited to 10 feet in height, as opposed to the 15 feet currently shown on the drawing. She stated that only one wall sign would be allowed on the east elevation. However, if these signs are changed with the plans submitted for the final development plan approval, no deviations would be required.

In terms of environmental impacts, Ms. Zeigler indicated that storm water runoff on the existing site flows to the southwest and southeast. She explained that the site is served by a private storm sewer system. She indicated that two curb inlets exist in the parking lot in the northeast portion of the site. One curb inlet is in the southeast corner of the site, and one curb inlet is in the southwest corner of the site.

According to Ms. Zeigler, staff received a letter from the property owner to the south, which indicated that, in the past, storm water runoff has entered their building from the southeast corner of the site. She said the applicant’s engineer, along with the City’s engineering services staff, has been in contact with that neighboring property owner. In order to look into the situation and alleviate those concerns, a stipulation has been added that a storm water study be done at the time of final development plan approval. She explained that this is a little unusual because, typically, that would be done with a revised preliminary plan; however, in this case, the impervious surface was not changing, so a storm water study was not required. Because of the drainage concern that has been raised, a storm water study will be done. She noted that preliminary indications from both engineers are that the issues will be dealt with from the study at the time of final development plan approval.

Staff recommends approval of Revised Preliminary Plan for Solera Salon Center, subject to stipulations a through i as outlined in the written Staff Comments.

Mr. Matt Kennan, vice president for real estate development of Solera Salon, and Hancoop at Overland Park is the entity under which they buy the property, so he is speaking for everyone. He gave his address as 6160 S. Syracuse Way, Suite 315, Greenwood Village, Colorado, 80111.

Mr. Kennan stated that some may remember that several years ago, they attempted to develop property on 135th Street. This proposal is to construct the identical building. He explained that they have had the same plans for a couple of years with different exteriors. He said they are a salon suite concept, so it is a large building full of mini-hair salons, where stylists and other beauty professionals can have a one-room suite that is entirely their own business. He commented that they also run a full spa within the building, some retail, and a little coffee shop that caters to people within the building. He indicated that they meet the parking space requirements. He hoped the Planning Commission will see this as a favorable addition to that frontage on Quivira.

Mr. Hill referred to the simulation on page No. 35F in the written Staff Comments that shows some fairly rich detailing above the cornice detailing. He said it does not look like that cornice detailing made it onto the final product. He asked if there is a reason it was eliminated.
Mr. Kennan said that, ultimately, they did not like the way the cornice detailing looked.

Mr. Hill asked the applicant if he would be willing to add more detailing as opposed to just having flat EIFS panels up there.

Mr. Kennan clarified that the materials are stucco, not EIFS. He believed they could review that and work in some architectural detailing in that area.

Chair Thacker asked if the applicant agrees with stipulations a through i.

Mr. Kennan confirmed that they are in agreement with the stipulations. With regard to landscaping, he would be willing to increase the landscaping around the perimeter because of the constraints they have with parking islands. However, some parts of the building are set back from the road and not visible to drivers traveling south from the hotel. Although he plans to enhance the landscaping, he would like some consideration given to not covering the entire street frontage with a forest of trees and too much landscaping, because he would like people to notice the building and be able to find it when traveling along Blue Valley Parkway.

Chair Thacker invited comments from the public in regard to Revised Preliminary Plan for Solera Salon Center.

Mr. Michael Fishman, 1948 E. Santa Fe, Olathe, Kansas, said he is the owner of the property immediately to the south of this proposed project. He wrote a letter to the City relative to his concerns about storm water runoff. He explained that this entire property drains from north to south. In times of heavy rain, all of the water comes down from this property, the parking lots to the north, and from the roof drains on all of the buildings. The water overpowers the storm water inlet in the southeast corner of the subject property. He further explained that the water tops the wall and comes through the retaining wall and floods his property, which has occurred several times. He wrote the letter to advise the City, and the City contacted him and is aware of the problem.

Mr. Fishman said the applicant’s engineer met with him on the site and talked about the problem. He clarified that he is not at the meeting to oppose this project, but to reiterate the concerns that he has expressed in the letter. He also wanted to thank the City for directing the applicant to do a storm water study. When the storm water study is complete, he requested that it be sent to him for his review and review by his engineer. He explained that he and his engineer would like to have input in the process, so when the matter comes before the Planning Commission for final development plan, whatever recommendations have been suggested can then be implemented.

No one else came forward, and the public hearing was declared closed.

In response to Chair Thacker’s question regarding the Storm Water Study, Mr. Kennan said they purchased the subject property three months ago out of receivership, so they believe there may also be deferred maintenance items that have not come to their attention yet. He believed the problem could be either a clogged inlet or possibly a design that needs to be redone. He assured the Planning Commission that his engineer is reviewing the information, and they do plan to take care of the problem.
In response to Mr. Troester’s question whether the staff is satisfied with the process being used by the applicant’s engineer and City staff engineer, Ms. Zeigler confirmed that City’s engineering staff has indicated that they are satisfied.

A motion was made by Mr. Troester to recommend to the Council approval of the Revised Preliminary Plan for Solera Salon Center, 12020 Blue Valley Parkway, to allow the demolition of a portion of an existing single-story, multi-tenant, commercial building and the construction of a new two-story salon and spa building, subject to stipulations a through i. Mr. Hill seconded the motion, which passed by a vote of 11 to 0.

REVISED PRELIMINARY PLAN APPROVAL – Overland Park Golf Club – 12501 Quivira. Application made by Phelps Engineering, Inc.

(Approved)

Assistant Planner Aaron DuBois said the applicant, Phelps Engineering, Inc., is requesting revised preliminary plan approval to allow changes to the Overland Park Golf Course at 12501 Quivira. The scope of changes includes grading and realignment of existing holes and ponds at the southern end of the course, construction of a new clubhouse and associated parking lot.

Mr. DuBois stated that the revised preliminary plan includes three new holes for the Par Three course and two new holes for their championship 18-hole golf course. In addition to the new holes, several bridges will be built across creeks, and a cart path will be constructed to serve the new holes. There are no changes proposed to the existing maintenance building with this application.

Mr. DuBois commented that another portion of this revised preliminary plan is a new clubhouse and associated parking lot. However, no plans have been submitted to staff for review of this clubhouse, because this will be handled at the time of final development plan.

According to Mr. DuBois, there are no major changes to the hole layout or hole location in the southern end of the course, other than the site grading to improve drainage and make the facility a more competitive course in the metropolitan area.

The applicant is requesting a stream corridor deviation to allow a greater encroachment into the stream corridor at the north end of the site. Mr. DuBois explained that this is in reference to the twelfth hole where the T-boxes are located. He said the Unified Development Ordinance (UDO) allows for fairways to encroach in a stream corridor up to one-half of the stream corridor width. However, they are encroaching further than what is allowed by ordinance. To compensate for the disturbance, the areas that are considered rough will not be mowed and remain at one-and-a-half to two inches high, and an additional stream corridor will be provided elsewhere on the site.

Mr. DuBois referred to an aerial view of the Overland Park Golf Club and explained that the color red on the map is the area from which they are seeking a deviation. The color yellow on the map shows other areas in which they are encroaching, and the color green is where they are increasing the stream corridor to compensate for the encroachment in other areas.
Staff is supportive of this deviation request to move the fairway further to the east, and recommends approval of the Revised Preliminary Plan for the Overland Park Golf Club, subject to stipulations a through i. He offered to answer questions.

Mr. Lance inquired about the timeline of this project.

Mr. DuBois explained that the first phase will be on the southern end of the golf course, and it will include grading and manipulating some of the ponds in the stream corridors. The remainder of the project is not yet planned, because much of that depends upon funding.

Mr. DuBois said that staff received an e-mail from a property owner, outlining some concerns from the neighbors to the north. He distributed copies of the e-mail to the Planning Commissioners.

Mr. Todd Clark, president of CE Golf Design, 3250 Brinkerhoff Road, Kansas City, Kansas, said he represents the applicant. He added that Overland Park Golf Operation Manager Sandy Queen is available for questions, as well as Mr. Judd Claussen with Phelps Engineering.

Mr. Clark stated that the Master Plan process was completed in 2010. He noted that the Master Plan can be accessed from the City’s Web site. After a series of meetings, as well as public meetings with the neighbors, he said they started to address the safety concerns and ways to enhance the golf course and take advantage of the additional 40 acres of property to the north.

Mr. Clark referred to the drawing that details the expansion of the golf course in that area. He commented that the expanded area is very similar to what they did at St. Andrews Golf Course when they added the six holes. He believed this is very unique property with the terrain, topography, and the woods. By adding the par three course and two additional regulation holes, this allows the golf course to increase in length and addresses some of the golf shot values that make the golf course more attractive.

According to Mr. Clark, they have been sensitive to the neighbors to the north and tried to create that internal 50-foot area as a minimum buffer. In some areas, he pointed out that is probably more like a 100-foot to 150-foot area to the center of the greens. He emphasized that they have been very aware of the safety and relationship with the existing property owners. However, there are some encroachments, such as expansion into the parkland or wooded area. He explained that there are approximately 38 acres of wooded area and many existing trees. He indicated that this is just one step in the process of laying out the big 10-year or 15-year plan to move this project forward. They have identified the Master Plan, and the timeline will depend on market conditions. As he explained, the golf market has changed over the last few years, which is the reason for this plan. The plan is to remain competitive so that over the next five to ten years, the golf course can attract more golfers. Currently, the timeline is undetermined. They are only looking at the first phase, which is the south nine holes. He offered to answer questions.
When asked by Mr. Reitzes if the applicant plans to construct a fence along the north property line, Mr. Clark replied that he and Mr. Queen have discussed the possibility of constructing a fence along the north property line. To date, however, they have not taken it any further than discussing the possibility.

Chair Thacker opened the public hearing.

Mr. David Waters, 10851 Mastin, said he is speaking on behalf of several home owners on the north side. He distributed a petition signed by 34 home owners expressing their objection to the proposed preliminary plan.

Mr. Waters stated that the real concern of these neighbors is the resulting loss of the natural and wooded areas. He believed that Johnson County and Overland Park have their fair share of golf courses. However, the parks and wooded areas are becoming scarcer, and they would like to see as much of this preserved as possible. As he explained, people have moved to this area precisely because of these woods, and they would like to see what can be done to preserve as much of those woods as possible.

Mr. Waters said he is certain that studies have been done in regard to the expansion of this golf course, but the neighbors did not anticipate this type of development at the Overland Park Golf Club. To better protect their homes, he and his neighbors would like to request that a stipulation be added in terms of an additional buffer area. On behalf of several home owners, they are asking that the proposed footage be closer to 300 feet between the property lines and the outer playable areas of the expanded areas. He believed the 300-foot buffer would preserve these wooded, natural areas between the southern property line and where the actual course is located. It is his understanding that these additional holes are going to be part of a long-range plan. He believed the stipulation relative to the 300-foot buffer would at least give these home owners some certainty when trying to market and sell their homes.

In addition, since this is such a long-range plan, Mr. Waters believed it might be appropriate to deviate a bit from the code. He would ask that any final development plan in the future would provide notice again, so that new residents that might move into this area would have the opportunity to see and hear the plans, rather than the final development plan moving forward several years from now, either on an administrative level of without ever having any further public comment. He appreciated the opportunity to speak about this issue.

No one else came forward, so Chair Thacker declared the public hearing closed. She inquired whether the applicant would like to respond to the request for additional stipulations.

In terms of the request for a stipulation to increase the buffer to 300 feet, Mr. Clark explained that this would defeat their goal to achieve a championship golf course. Referring to St. Andrews Golf Course and Westlinks Golf Course, those have the same length in character and style. He stated that they are attempting to create a little more variation and create more of a championship or a longer golf course. Thus, they need the additional length for the Overland Park Golf course to accomplish that goal. He also explained that they are attempting to attract different golfers that come in and play the City golf courses. The question has been, “Where are they going to get...
the next golfers and how will they be able to make the golf courses run from a business standpoint.” He stated that they discussed how they could return to the original 18-hole golf course, enhance it, and make it longer with modern technology and equipment today.

Mr. Clark recalled that the other question or concern was relative to property values of the surrounding homes. Normally, property values have increased when they are near a golf course. He believed the key is to be able to use the golf course, be able to see the fairways, and be able to see some open area. Based on his 20 years of designing golf courses, as well as being a member of the American Society of Golf Course Architects, having golf courses around the property of existing homes has historically and ultimately helped property values.

Chair Thacker asked staff to reply to the suggestion of a second public hearing at the final development plan for new residents that might move into this area, so they would have an opportunity to see and hear the plans.

Mrs. Karr clarified that a public hearing is not needed if the final development plan conforms to the approved preliminary plan. She explained that under the City’s Unified Development Ordinance (UDO) requirements, notification is not needed for final development plans. However, she pointed out that information relative to this project is posted on the City’s Web site for review by the property owners.

For further clarification, Mr. DuBois stated that this is a long-term plan. He explained that there are no immediate plans at this time for the northern portion of the site. He indicated that the current plans are to modify and maintain the existing holes in the southern portion of the site.

Mr. Brake stated that this is an important piece of property to the City of Overland Park. He believed the City wants to retain the property value and the competitiveness of the golf course. In his opinion, this is an asset to the City. He is in favor of making improvements to the Overland Park Golf Course.

Mr. Gadd said he can appreciate Mr. Water’s desire to have a buffer between the golf course and the residential area, but he believed 300 feet is too much. He explained that 300 feet is the size of the field inside Arrowhead Stadium. He believed something less than 300 feet would certainly be tolerable. He mentioned that he lives on a golf course, and it has increased his property value.

Knowing the high demand for golf recreation in Overland Park, Mr. Reitzes said he is also in support of this project. He understands the need to upgrade the golf course, particularly in terms of the drainage issues. He believed the expansion of the golf course will be an overall benefit for the community.

Mr. Lund agreed with those comments. He has played this course many times, and he is glad the City is going to improve it. He is in favor of the revised preliminary plan for Overland Park Golf course.

Mr. Troester agreed with his fellow commissioners. He believed the improvements will increase the value of the golf course, as well as give the community another option to
play on a high quality golf course. He has seen the benefits of the Overland Park Soccer Complex and what that has done for the City. In his opinion, this is another avenue to make Overland Park a better place.

A motion was made by Mr. Flanagan to approve Revised Preliminary Plan for Overland Park Golf Club, 12501 Quivira, subject to stipulations a through i, including the stream corridor deviation. Mrs. Kim Sorensen seconded, and the motion carried by a vote of 11 to 0.

PRELIMINARY PLAT NO. 2011-18 – Overland Park Golf Club – Vicinity of the northeast corner of 127th Street and Quivira. Application made by Phelps Engineering, Inc.

(Approved)

Mr. DuBois said the 230.71-acre property is located in the vicinity of the northeast corner of 127th Street and Quivira. The property is currently zoned R-1, Single-Family Residential District. The applicant is requesting final plat approval to allow renovations to an existing golf course. The Overland Park Golf Club is currently unplatted and seeking approval to final plat the golf course. As he explained, this would allow for future development on this site.

Aside from some minor technical details, Mr. DuBois said staff has reviewed the plat and finds that all ordinance requirements have been met.

Staff recommends approval of Preliminary Plat No. 2011-18, subject to stipulations a through c.

Mr. Judd Claussen, Phelps Engineering, 1270 N. Winchester, Olathe, Kansas, said he is in agreement with stipulations a through c.

Chair Thacker invited comments from the public in regard to Preliminary Plat No. 2011-18. There being none, she closed the hearing and referred the item for action.

Mr. Hill moved to approve Preliminary Plat No. 2011-18 for Overland Park Golf Club, Vicinity of the northeast corner of 127th Street and Quivira, subject to stipulations a through c. A second was made by Mr. Gadd, and the motion passed unanimously.


(Approved)

Mr. DuBois said the applicant is requesting final plat approval to allow renovations to an existing golf course. He explained that this is the coordinating final plat to the preceding preliminary plat. The one-lot, 230.71-acre property is located at the northeast corner of 127th Street and Quivira. He explained that the Overland Park Golf Club is currently unplatted and seeking approval to final plat the golf course. The property is currently zoned R-1, Single-Family Residential District.
Staff has reviewed the plat and, aside from a few technical details, finds the ordinance requirements have been met. Staff recommends approval of Final Plat No. 2011-19 for Overland Park Golf Club, subject to stipulations a through c.

When asked by Chair Thacker if the applicant was in agreement with all stipulations, Mr. Claussen confirmed that he agreed with stipulations a through c as recommended by staff.

Mr. Brake moved to recommend to Council approval of Final Plat No. 2011-19 for Overland Park Golf Club, vicinity of the northeast corner of 127th Street and Quivira, with stipulations a through c. After a second by Mr. Hill, the motion passed by a vote of 11 to 0.

PRELIMINARY PLAN APPROVAL

– Milburn Country Club – 7501 West 69th Street.
Application made by Phelps Engineering, Inc.

(Approved)

Senior Planner Jason Beske stated that the applicant is requesting preliminary plan approval to allow the construction of a new clubhouse at Milburn Country Club, following a fire that destroyed the previous clubhouse in the year 2010.

In January 2011, the applicant received preliminary plan approval to use a 3,711 square-foot temporary trailer as an operations facility while a replacement for the clubhouse is being designed and constructed. It is anticipated that the trailer will be in use for approximately two years. A number of existing structures on the golf course site, south of the clubhouse, have continued to function and will remain as part of the overall plan.

The current clubhouse site consists of 147 parking spaces. Referring to the map, Mr. Beske said the parking lot to the north of the current parking field contains 57 parking spaces. Until the future parking lot is constructed, a temporary asphalt curb would need to be built in that location until such time as the full parking lot can be built. The proposed plan would allow reconfiguration of the parking lot and a total of three entrances. The new parking lot configuration will add a new parking field directly north of the existing parking. He said the overall proposed parking will be increased to 217 parking spaces. He advised the Planning Commissioners that the additional parking will allow the patrons of the new clubhouse to ease the use of on-street parking in the neighborhood.

Mr. Beske explained that the project site is divided into two drainage areas, one on the northern portion of the property and one on the southern portion. The southern drainage area is largely unchanged and runoff exits the site at an area inlet along 71st Street. The northern drainage area leaves the property, passes through Antioch Park, and then flows into the city of Merriam. He noted that the Northeast Watershed Study shows that several properties flood in the existing condition in the downstream Merriam tributary. Since the northern drainage area is being changed to add a new parking lot, the country club and private storm sewer detention area will be required to reduce the flooding issue downstream.
Staff recommends approval of the Preliminary Plan for Milburn Country Club, subject to stipulations a through g.

**Mr. John Martin**, president of the Milburn Country Club, 7509 W. 69th Street, said he is in agreement with all stipulations.

Mr. Reitzes asked if the square footage of the new clubhouse will be the same as the former clubhouse.

Mr. Martin replied that the square footage of the new clubhouse will be approximately 10,000 square feet less than the former clubhouse depending on the configuration.

Chair Thacker opened the public hearing.

**Ms. Rita Uridge** said she and her husband purchased the home at 7208 Hadley 25 years ago because of the view of Milburn Country Club and golf course. Although she now lives on 101st Street, her home on Hadley is now occupied by her son’s family. She explained that the houses on Hadley, as well as the other residential homes on the north and east side of the country club, all back up to the Milburn Country Club. As mentioned by the architect who has designed golf courses for the past 20 years, property values of homes located along golf courses normally have an increased value. Therefore, she would like the applicant to agree to an additional stipulation that nothing would visually block or take away the residents’ current view of Milburn Country Club and golf course. If the applicant would decide to change the current wood fencing, she would ask that it not be changed in density. However, if the applicant does decide to change the materials of the existing fence around Milburn Country Club, she suggested that they use the type of fencing materials that are next to her current residence on 101st Street that has no visual barrier, whether it be manmade or landscaped to impede the view.

**Mr. Bob Watson**, 6721 Santa Fe Drive, said he is member of Milburn Country Club. He said that he and his wife are extremely pleased and gratified that they are rebuilding the clubhouse and that the clubhouse will continue. He explained that they probably live in one of the oldest houses in Johnson County, and been looking across the street into that beautiful golf course for many years. They, too, would hate to see that end. They would prefer to see some sort of a transparent fencing. However, as he understands it, the perimeter fencing is not really a part of this application today anyway. He explained that the fencing will be considered some time into the future.

**Mr. Wright Beck**, 8515 W. 72nd Street, pointed out that the fencing on the backside of the golf course was primarily done because of a person who was running a day care in her backyard that was close to the fifth tee of the golf course and created quite a commotion. He wanted the Planning Commission to be aware of why the fencing was done at that location. He explained that that the fencing was not built to impede the neighborhood.

**Ms. Marilyn Dugan**, 8101 W 72nd Street, said she had not planned on talking during the public hearing, but sometimes she believed there are properties which she would like to see fenced. She indicated that one property, next door to another property she owns, is awful to look at, and residents do not always get assistance from the City in trying to get those unsightly properties cleaned up. She would like to see more help in that regard.
Seeing no one else come forward to speak at the podium, Chair Thacker declared the public hearing closed. She asked the applicant if he would like to respond to the comments that were made relative to the fencing.

Mr. Martin said he would like to address the questions from the public hearing. He informed the property owners that fencing is not part of this project, nor is there a plan in the foreseeable future to put up fencing that would block the view of the property owners who enjoy the view of the Milburn Country Club.

In response to Mr. Lance’s inquiry relative to the location of the proposed signage, Mr. Martin explained that a sign is proposed for the front of Milburn Country Club for identification of the club.

When Mr. Lance asked about the proposed lighting, Mr. Joseph Jimenez, principal architect at Helix Architecture and Design, 1629 Walnut, Kansas City, Missouri, explained that there are four to five pole lights in the parking lot, which are located in most of the islands down the center row, and one foot-candle spread out throughout the parking lot. He realized that this will put off quite a bit of light but, at the same time, it is in compliance with the City's code requirements. He explained that the foot-candle is a soft glow light that is pointed downward, so the light will not shine up into the sign. The lighting on the building is installed by a series of indirect lighting that will extend down the walls of the building. There will be a small amount of landscape lighting to illuminate the shrubs.

When asked by Mr. Lance if there will be any special lighting at the main entryway into the building, Mr. Jimenez confirmed that the main entryway will be heavily lit.

In response to Mr. Lance’s question if there would be lighting from Santa Fe into the drive, Mr. Jimenez said that will be lit as well and into the facility. He explained that the drive connects with the circular drive.

Mr. Lance believed the architecture of this plan to be excellent, and he commended the architect on his exceptional design of Milburn Country Club.

Mr. Jimenez thanked him for his kind words.

Mrs. Sorensen said this is a question for the applicant. As the Country Club replaces the perimeter fencing, she asked if they would be eliminating the current chain link fence that used to have barbed wire on the 67th Street side. She inquired whether they will be taking that down and putting up wrought iron, or just be replacing the existing chain link along 71st Street.

Mr. Martin said he cannot speak to that at this time, because they have not studied that, nor is it part of their current plan or a plan anytime in the near future.

Mrs. Sorensen said she would like to go on record that, if the Country Club does implement some type of re-fencing plan for that perimeter, that they use a top rail design on new chain link and eliminate the old style that had the barbed wire on top of it. She believed that would make a much cleaner look and a much nicer appearance to the neighborhood.
In regard to the chain link fence, Mr. Lance would like to make one comment. He requested that the chain link be coated with black or green vinyl as opposed to raw metal.

Mr. Martin agreed to note that for their project when it comes about.

When Chair Thacker asked if there were any follow-up comments, Mr. Beske said he received several calls regarding the fencing from property owners who would not like the view blocked of the Country Club from their homes. These property owners informed him that they enjoy the beautiful view of the Milburn Country Club and would like to continue to look at it. He assured those property owners that there would be no fencing or no other item that would block their view of the beautiful country club.

A motion was made by Mr. Troester to approve the Preliminary Plan, located at 7501 W. 69th Street, subject to stipulations a through g. Mr. Reitzes seconded, and the motion passed by a vote of 11 to 0.


(Approved)

This final development plan request is a companion to the preliminary plan approval request that was just approved.

The applicant is requesting final development plan approval to allow a new clubhouse at Milburn Country Club. The applicant is also requesting reconfiguration of the existing parking lot and additional parking. The new clubhouse is proposed to be constructed at the approximate location and slightly west of the previous structure. The new clubhouse facility will be approximately 36,000 square feet and two stories. Primary building materials for the clubhouse include stone, board-formed concrete and wood lap siding. The roof is proposed to be a pitched pre-weathered galvalume metal. In staff’s opinion, the proposed architecture will fit well into the context of the surrounding neighborhood.

Mr. Jeske said the parking lot will ultimately be reconfigured and include three entrances into the site. The current clubhouse site includes 147 parking spaces. The proposed plan would allow reconfiguration of the parking lot with a future total build-out of 217 parking spaces. The parking lot, which is north of the current parking field, would contain 57 parking spaces. He explained that a temporary asphalt curb would need to be built in place of the future parking until such time as the full parking lot build-out would occur.

In addition to the new clubhouse and parking, the applicant is proposing to shift golf cart paths and add landscaping to accommodate the revised configuration. Most changes are proposed within close proximity to the clubhouse. New landscaping and berming is proposed along Santa Fe Drive adjacent to the parking lot. Landscaping is also proposed in the new parking lot and in close proximity to the clubhouse. The eastern boundary of the site along Santa Fe Drive is proposed to include relatively low-growing deciduous and coniferous trees due to overhead power lines that traverse the corridor. Overall, the site plan includes a sufficient amount of landscaping.
Staff has spoken to a number of individuals that live in close proximity to the golf course. There has been an overwhelming sentiment that the current fencing around the course should remain transparent in order to maintain views into the golf course. Transparent fencing would maintain an open feeling within the neighborhood and staff would recommend that the applicant maintain clear fencing in perpetuity as a courtesy to golf course neighbors.

The proposed expansion of the parking lot should help to reduce the need for parking along Santa Fe Drive during special events. The applicant is proposing to shift the driveway locations so that the central drive is aligned with 69th Street, and the north driveway is located sufficiently north of 69th Street to avoid vehicular conflicts. Because of the improved layout, the transportation staff supports this application.

In terms of the environment, Mr. Beske said the project site is divided into two drainage areas, the northern and the southern. The southern drainage area is largely unchanged and run-off exits the site at an area inlet along 71st Street. The northern drainage area leaves the property, passes through Antioch Park, and then flows into the City of Merriam. The Northeast Watershed Study shows that several properties flood in the existing condition in the downstream Merriam tributary. Since the northern drainage area is being changed to add a new parking lot, the country club, and private storm sewer, detention will be required in order to not increase flooding downstream.

Staff recommends approval of Final Development Plan, Milburn Country Club, subject to stipulations a through g. Concurrent with submittal of construction plans for a Site Development or building permit, whichever comes first, the developer’s engineer shall provide a Final Storm Water Management Study.

Mr. Hill moved to approve the Final Development Plan for Milburn Country Club, 7501 W. 69th Street, subject to stipulations a through g. Mr. Flanagan seconded the motion, which passed unanimously.

PRELIMINARY PLAT NO. 2011-20 – Cypress Springs – Vicinity of the southeast corner of 81st Street and Metcalf. Application made by Polsinelli Shughart PC.

(Approved)

Mr. Beske said the applicant is requesting approval of a preliminary plat for two lots on approximately 3.1 acres. The property is currently zoned CP-2, Planned General Business District, with an indefinite special use permit approved for an assisted living facility, and R-1, Single-Family Residential District. The subject property recently received preliminary development plan approval for an assisted living facility and commercial development. This development received preliminary development plan approval by the City Council on August 1, 2011. The plan calls for a new assisted living (memory care) facility, future commercial development, and associated parking. He explained that Lot No. 1 is intended for the assisted living facility, while Lot No. 2 is intended for future commercial development.
Mr. Beske believed the applicant is looking to move quickly on this application and is, therefore, requesting the preliminary plat in order to move forward with the final plat. Aside from minor technical details, staff does recommend approval of Preliminary Plat No. 2011-20 for Cypress Springs, subject to stipulations a through c.

Mr. Greg Watson, Schafer, Kline and Warren, 250 Corporate Avenue, Lenexa, Kansas, said that, as mentioned by City staff, they were previously approved on the preliminary site plan. The Final Development Plan and Final Plat were just recently submitted, and scheduled is to be on the September 12, 2011, Planning Commission meeting agenda. He agreed with stipulations a through c and requests approval.

Chair Thacker invited comments from the public in regard to Preliminary Plat No. 2011-20 for Cypress Springs. No one came forward, and she closed the public hearing and entertained a motion.

Mr. Reitzes moved to approve Preliminary Plat No. 2011-20 for Cypress Springs, vicinity of the southeast corner of 81st Street and Metcalf, subject to stipulations a through c. Mrs. Sorenson seconded the motion, which passed by a vote of 11 to 0.

Mr. Beske thanked the Planning Commission for the opportunity to serve them, and expressed his appreciation for their service to the City of Overland Park.

Chair Thacker also thanked Mr. Beske for his service to the City. She believed he made a real impression at the City of Overland Park. They will be remembering his Form-Based Code Plan that he completed and will be looking forward to the benefits of it. On behalf of the Planning Commission, she informed him that they all have truly enjoyed the opportunity to work with him and wish him the very best in Arlington County.


(Withdrawn by the applicant)


(Approved)

Ms. Zeigler said the applicant, is requesting approval of a sign deviation for the total number of signs at an existing office building, located at 11401 Lamar. This property is currently zoned CP-O, Planned Office Building District.

According to Ms. Zeigler, the Black and Veatch office building currently has one monument sign at the southeast corner of 112th Street and Lamar, along with five ground-mounted directional signs around the perimeter of the site. The applicant is requesting additional signs for an exiting office building, the number of which exceeds what is currently allowed. She explained that these signs were approved in 1977. Three of the directional signs are proposed to be updated as part of the overall
improvements being done on site with the new entry addition. While they do not meet
the current size restrictions for directional signs, she explained that the sizes of the
new directional signs meet what was approved for the directional signs in 1977.

Ms. Zeigler said the applicant is requesting three wall signs and two monument signs
in addition to what was previously approved. The two additional monument signs
would be located at the entrance of 115th Street and Outlook in the location of the
two existing directional signs that are proposed to be removed. He commented that
two of the proposed wall signs would be located at the top of the building, one on the
north side of the building and one on the south. The third wall sign consists of edge-lit
individual letters located along the new retaining wall that is being constructed with
the new entry area on the south side of the building. With the exception of the
directional signs, all of the signs would be illuminated.

As explained by Ms. Zeiger, Section 18.440.080.E of the Unified Development
Ordinance (UDO) currently limits office buildings to three wall signs, not more
than one per façade, with the allowance for one monument sign in lieu of one
wall sign. She said there is no limit on the number of directional signs. Since
the overall sign package exceeds what is allowed, a deviation is required. The
applicant has responded to the five criteria required for the granting of a deviation.

The Planning Commission may grant a deviation is they find that the following five
criteria have been met. The first requirement is that there is a unique aspect to the
property. In staff’s opinion, the property is somewhat unique given its size, number
of drive entrances, and the building being located in the middle of the property. As the
applicant has indicated in their response to this five criteria, the number of signs are
proposed to provide adequate coverage of the site and the building from a variety of
distances for visitors coming to the site.

The second criteria is that the deviation will not adversely affect the rights of adjacent
landowners. The proposed number of signs should help visitors to the area find their
destination more easily, which would be a benefit. However, adjacent property owners
could be somewhat negatively impacted so they would not be able to have this amount
of signage without the applicant also receiving a deviation.

Ms. Zeigler referred to the third criteria, which is hardship. As indicated by the
applicant, the hardship that would result if the deviation is denied is that visitors
to the site would continue to be confused about which entrance to use.

Referring to the fourth criteria, Ms. Zeigler said the requirement is that the deviation
would not adversely affect the public health, safety, or general welfare. She explained
that staff would not anticipate any negative impacts.

The final or fifth criteria is that the granting of the deviation will not be opposed to the
general spirit and intent of the ordinance. Ms. Zeigler indicated that the intent of the
ordinance is to allow adequate signage for identification of a business while
minimizing visual clutter created by multiple signs. In this case, she explained that
there are already ground-mounted signs at all of the locations that the ground-
mounted signs are being proposed. Given the size of the building and the proposed
wall signs, it is staff’s opinion that the building will not seem overwhelmed by signs.
According to Ms. Zeigler, staff is generally supportive of the requested deviation for the signs, given that the three monument signs are being shown where directional signs are already located. In addition, given the number of street frontages and entrances, staff understands that adequate signage is needed. With regard to the wall signs, the ordinance clearly anticipates wall signs on an office building, but staff would question the need for two wall signs on the south-facing portion of the building.

Staff would recommend approval of the sign deviation with the exception of the second wall sign on the south side of the building and has provided stipulation a and b. If the Planning Commission finds the application acceptable as proposed, there are alternate stipulations a and b.

Mr. Aaron Lewis, project manager, Black and Veatch, 11401 Lamar, said he is the project manager for the renovation and understands the requirements and the deviation steps that need to be taken. With respect to the question of the south façade, he believed that having the proposed signage on the upper portion of the building has many benefits for motorists who may be traveling from the south side of the City. He explained that this site is not easily visible from that direction. The building can be seen, but it is certainly no indication of who resides in that location, so they felt the upper sign would be important.

Mr. Lewis explained that the sign currently shown on the retaining wall located on the property is used for people heading towards the area where they would expect their visitors to come to the Innovation Pavilion. In his opinion, Black and Veatch feels this sign is more of an architectural type sign that ties in with the Innovation Pavilion. He believed each sign performs different functions for different purposes, and that is ultimately why they proposed them the way they did.

Mr. Lance inquired about the type of lighting used on the letters of the sign on page 56-I in the written Staff Comments. He asked if there is a location where he could see an example of this type of signage.

Mr. Adam Guzman, Architect, 300 W. 22nd Street, Kansas City, Missouri, said that, unfortunately, he does not know of an installation in Overland Park or within the metropolitan area that has a similar type of sign. He explained that it was a concept that their lead designer had seen in another part of the country. He advised that the block letters would have a blue face and be approximately four inches thick. The letters would be individually edge lit, so the size of the block letters would be prominent.

Mr. Lance believed the block letters are very unusual signage. He asked if there is any concern about these letters being mounted so low to the ground because of the potential damage to them during the winter months when snow removal is done.

Mr. Guzman agreed that this could be a concern. Because of the trucks and snowplow equipment, he imagined that they probably would design these types of letters at a specific height. He explained that Black and Veatch has not determined the final height, but that is something they could certainly consider.
Mr. Lance questioned the location of one of the signs, which is at the corner of 115th Street and Outlook. He believed there is not much traffic across 115th Street and, therefore, he suggested that they might want to consider relocating that sign to 112th Street and Outlook. In his opinion, that is where most of the traffic would be.

When asked by Chair Thacker if the applicant agreed with stipulations a and b, Mr. Guzman confirmed that he did.

A motion was made by Mr. Hill to approve the Sign Deviation for Black and Veatch, located at 11401 Lamar, subject to “alternate” stipulations a and b, which referenced the signage as requested by the applicant. Mr. Troester seconded, and the motion passed by an 11 to 0 vote.

SIGN APPROVAL – Budget Inn – 6850 West 108th Street. Application made by Excel Lighting L.L.C.

(Continued)

Mrs. Karr announced that the applicant for this item has requested a continuance to the September 12, 2011, Planning Commission meeting. She said that no motion is necessary.

UNIFIED DEVELOPMENT ORDINANCE AMENDMENT – Amendments to Section 18.390.140 of the Unified Development Ordinance relating to the development and performance standards of accessory uses for the number of daily visits allowed for home occupations. Application made by the City of Overland Park.

(Approved)

Ms. Zeigler said the applicant is requesting amendments to Section 18.390.140 of the Unified Development Ordinance (UDO), relating to the development and performance standards of accessory uses for the number of daily visits allowed for home occupations. The Planning Commission considered this amendment at a public hearing on July 11, 2011, and voted to continue this topic to the August 8, 2011, meeting in order for the Ordinance Review Committee to meet.

According to Ms. Zeigler, home occupations are allowed as an accessory use in the City’s residential districts, subject to limitations on signage, parking, traffic generation, area of use, size of business use, and employees. She said the four purposes of the limitations are stated in the UDO as follows: 1) To maintain neighborhood integrity and preserve the residential character of neighborhoods by encouraging compatible land uses; 2) To provide residents of the City with an option to use their residences as places to enhance or fulfill personal economic goals, as long as the choice of home occupations does not infringe on the residential rights of neighbors; 3) To establish criteria for operating home occupations in dwelling units within residential districts; and 4) To assure that public and private services such as streets, sewers, water or utility systems, are not burdened by home occupations to the extent that usage significantly exceeds that which is normally associated with a residence.
Ms. Zeigler said that any home occupation which meets the performance standards outlined in the ordinance is allowed as a home occupation. She explained that a permit is not required for a business to operate from a residence, because enforcement is done on a complaint basis.

At the current time, Section 18.390.140.F.8 limits the number of visits generated by a home occupation to six business-related visits, which counted as six arrivals and six departures of a vehicle. In the past, however, staff has received requests for home occupations which generated more business-related visits than what the ordinance allows. The intent of the limitation on the number of business-related visits is to keep the businesses as an ancillary use to the residence.

Ms. Zeigler explained that single-family households, on average, generate ten trips per day. Given the variety of family sizes and trip needs of individual families in any neighborhood, increasing the number of business-related visits from six to ten would not seem to have a negative impact on maintaining the overall intent of the ordinance.

The Community Development Committee discussed this topic at their September 1, 2010 meeting, and they agreed that increasing the number of business-related visits from six to ten seemed appropriate.

The Ordinance Review Committee met on July 25, 2011, to discuss this topic, and voted 2 to 1 to recommend the proposed increase of business-related visits from six to ten. Ms. Zeigler explained that the committee member voting against the change expressed concern that this increase in the number of visits is counter-productive to maintaining residential areas. The committee member who opposed felt that if a home occupation has more than six visits, the business owner should seek approval through the special use permit process. The two committee members voting in favor of the proposed change felt that ten visits would be more in line with what is allowed for residential day cares and, in this economy, it is beneficial for residents to have the option of operating a business from their home.

Based on the direction given to staff by the Community Development Committee and the Ordinance Review Committee, staff recommends approval of the proposed amendments to Section 18.390.140 of the Unified Development Ordinance as proposed.

Mr. Flanagan moved to recommend to Council the approval of amendments to Section 18.390.140 of the Unified Development Ordinance, relating to the development and performance standards of accessory uses for the number of daily visits allowed for home occupations. Mr. Reitzes seconded the motion, which passed by a vote of 7 to 4. Mr. Hill, Mr. Gadd, Mr. Brake, and Mr. Robinett opposed the motion.

UNIFIED DEVELOPMENT ORDINANCE AMENDMENT – Authorization to publish amendments to Section 18.400.050 – Acceptance of Dedication. Application made by the City of Overland Park.

(Approved)

Mr. Stuecheli stated that the applicant is requesting authorization to publish amendments to Unified Development Ordinance (UDO) Section 18.400.050, Acceptance of
Dedication, to eliminate the requirement for the City Council to accept the right-of-way and temporary construction easement dedication documents. The City is requesting authorization to amend Section 18.400.050 to streamline the process for recording right-of-way and temporary construction easement dedication documents that are required as a part of the exaction process established in this section. He confirmed that the changes are in conformance with the current practice for recording other similar documents granted to the City.

Staff recommends that the Planning Commission authorize staff to publish amendments to UDO Section 18.400.050, Acceptance of Dedication.

A motion was made by Mr. Hill to authorize the City to publish amendments to the Unified Development Ordinance Section 18.400.050, Acceptance of Dedication, as proposed by staff. Mr. Reitzes seconded the motion, which passed by an 11 to 0 vote.

Application made by RSA Architecture.

(Withdrawn)

FINAL DEVELOPMENT PLAN APPROVAL – Vehicle Storage Facility – 15445 Metcalf.
Application made by RSA Architecture.

(Withdrawn)

At 5:10 p.m., Chair Thacker declared the Planning Commission meeting adjourned. Minutes transcribed by Barbara Potts.

Mrs. Janie Thacker, Chair