

MINUTES OF THE PLANNING COMMISSION MEETING

May 22, 2017

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, May 22, 2017. Members also present: Jim Brown, Dana Buford, Scott Babcock, Robin Dukelow, Brad Davidson, Charlie Troppito and Frank Bruce. Absent was Stuart Braden. Also in attendance: Danielle Sitzman, City Planner; Brian Scott, Assistant City Administrator and Nora Tripp, Secretary to the Planning Commission.

Approval of Minutes from the April 24, 2017, Meeting

Ms. Sitzman: There were some edits that have been incorporated into the copies in front of you tonight.

Ms. Tripp: On page 3, Mr. Brown had a correction. He said that instead of “two feet,” it was “two football fields.” Also, the date was incorrect at the top.

Ms. Dukelow moved and Mr. Babcock seconded a motion to approve the minutes of the April 24, 2017, meeting, as corrected.

The vote was taken (8-0). The **motion carried**.

Case #17-04 Preliminary Site Development Plan-Mission Trails – Public Hearing

Ms. Sitzman: This is a preliminary site plan, which involves a two-step process. In the past, we’ve had applicants come to you with both the preliminary and the final site plan. We’re no longer doing that, so tonight is simply the preliminary site plan. At some future date, they will come back to you with a final site plan. A preliminary site plan tends to deal more with the big picture, the layout of the site, the massing of the buildings, etc. It does not get into the finer details that you’ll see at final site plan, such as specific streetscape and landscaping plans, floor plans, specific materials on the exterior of the building, etc. This is a public hearing this evening. You will make a recommendation on this plan, and the plan will then advance to City Council for their final determination. Then, when a final site plan is submitted to you, you will be the final deciding body.

So, this is the preliminary site plan for what is being called Mission Trails, at 6201 Johnson Drive. It’s the former Pyramid Life or Continental General Insurance building. It’s about a 46,000-square foot office building. The property is zoned Main Street District 1 and is located in the Downtown District, subject to the Johnson Drive design guidelines, which was a zoning district created by the City in about 2006. The intent of that zoning district and the Comprehensive Plan in this area is to reinforce the existing character and the core of the downtown, with characteristics that make up the downtown.

As I noted, this is in the Downtown District and surrounded by other downtown zoning districts similar to MS-1 and MS-2 zoned properties nearby. The Comprehensive Plan says that the Downtown District is appropriate for small businesses and is a pedestrian-oriented environment, with ground floor retail and upper floors including housing and office uses. As you may already know, the property was purchased from Waddell & Reed by the RH Johnson Company in 2016. This group also has a stake in

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the ownership of The Bar next to it at 16101. Since the time that they purchased it, they had been marketing the property for sale. At this time, the applicant, Steve Coon of EPC Real Estate, is requesting this preliminary site plan for development of the site. The site would include a mix of uses consisting of retail, office, and primarily housing.

That being said, housing would be the largest component in this, approximately 200 Class A apartment units in a 5-story building over the top of ground-floor retail, with an attached 4-story parking structure adjacent to it. The ground floor uses would primarily be a restaurant and several other small retail and service uses fronting Johnson Drive. The apartment complex would be structured around an open internal courtyard, and the breakout of the different uses are included in a table in the staff report. About 200 units of housing, about 7,500 square feet of restaurant, retail and service uses. Also, there will be a leasing office for the residential, about 2,500 square feet. And then, a parking structure of about 287 stalls, and surface parking including the new on-street parking along Johnson Drive that is proposed, and the surface parking lot to the east side of the apartments, totaling 38 to 40 parking spaces, depending on design.

As I said, this is zoned Main Street District 1, which is a planned zoning district, and therefore, eligible for consideration of deviations. We talked about the section of our zoning ordinance that deals with deviations recently when we made some edits to that section, which was in anticipation of projects like this that asked for deviations. So, deviations of planned districts are a zoning tool or technique that are intended to create additional flexibility in the application of zoning standards. It's not limited to but includes things like height, which they are asking for a deviation from. The zoning tool allows for case-by-case review of specific development proposals, and the stated intent of our code is that it encourage quality development by permitting these small changes from the base zoning in order to encourage large-scale redevelopment, efficient development of smaller tracts, innovative and imaginative site planning, conservation of natural resources, and a minimum waste of land. So, encouraging that higher-density infill redevelopment in projects such as this.

Let me talk about the requested deviations. First is for height. The base zoning in the MS-1 zoning district limits a building's maximum height to three stories and/or 45 feet. The applicant is requesting that to be increased to a maximum allowance of 5 stories and 65 feet. Included in your packet was their project narrative, in which they explained that the massing of the building is designed to respect the intent of the code by providing a streetscape environment that's not overwhelmed by the height of the building; incorporates setbacks from the lower floors to the upper floors, and reducing the massing in the street. Reducing the building height at the corner of the building; and including various wall articulations for the vertical and horizontal. Also, a covered courtyard space that is welcoming to the pedestrian, which is located at the north and east corner of their current site plan. So, the applicant is requesting that additional height so that they can build additional apartment units in their design.

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I will just say, from staff's perspective, that basically mimics other projects that they have done, which have been successful. They're looking for an apartment similar to past projects. That is in exchange for the predictability on their part of having a project similar to other ones that they've done. The project then generates additional density, is more efficient of its use of land and mission, potentially generates higher property values, and is a better-quality project. So, granting the deviation would not waive any other design requirements of the Johnson Drive design standards, which are looked at at final site plan. Those are also intended to safeguard and reinforce the pedestrian scale of the streetscape.

The second deviation they are requesting is a use deviation. Main Street District 1 prohibits residential and office uses from being located on the ground floor. In this case, they're requesting to have residential and offices on the ground floor, as you can see along the front of the north end of the project. It is stated in their project narrative that in reviewing the other retail line, the Johnson Drive corridor typical retail is anywhere from 40 to 80 feet in depth. They think that the retail side of their building mimics that pattern, but that the project that they're building is on a site that is much deeper than a typical commercial use. So, in addition to providing the retail in the front 40 to 80 feet, they would like to include additional residential around the back side of their units, but still on the ground floor.

Again, the proposed layout of the ground floor results in a more predictable outcome for the applicant. Also, the proposed building is nearly twice as deep as other commercial structures in the downtown. So, by focusing the retail along the street, it does reinforce that already-established pattern. So, patrons and shoppers who expect to find retail along that frontage of Johnson Drive, they might not be expecting to find additional layers of retail behind that. So, it kind of reinforces the expectations of the shoppers that are there. It does [*inaudible*] hiding retail out to the depths of the building, which may not be as successful. It also kind of limits the overall size of a retailer to the scope and scale of other smaller downtown businesses. However, we do think that in granting the stipulation, there should be some reservation for the amount of retail along Johnson Drive. We've suggested that the majority of the frontage of Johnson Drive be required to still be retail or service use. Certainly, it's up to you to discuss whether that is an appropriate threshold, or whether a greater or higher threshold of retail open to the public is more appropriate.

Included in the staff report are the findings that are required to be made in order to grant a deviation. Those are what we discussed in the Chapter 405 amendments that we made not too long ago. We have provided staff's opinion on those findings. You're certainly welcome to discuss those or other findings you'd rather submit. We do generally find that the requested deviations meet the findings that are required, so you could grant them as such. And, included in the staff report is a recommendation of approval and the wording for granting those deviations.

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The rest of the staff report goes through some of the physical development aspects. Typically, a final site plan is going to delve more deeply into those Johnson Drive design guidelines. You will be looking at streetscape and landscape plans, as well as the exterior building materials and the actual architectural design of the building at the time of final site plan. Their general concept at this point is a Spanish Revival or Mission Revival architecture consisting primarily of stone, stucco, tile roofs and synthetic wood accents.

Regarding parking, they are proposing a four-level parking garage on the southeast corner of that site. Contained in that parking garage are parking for the residential units, which will be reserved on the 2nd through 4th floors. The ground floor of the parking structure, at this point, is in negotiations to be reserved for public use, which would be about 50 to 52 stalls, depending on final design. The District 1 zone where this is located does not actually require any parking. It's part of the downtown commercial corridor. When that was established, the intent was that parking would be shared along the Johnson Drive on-street parking. We looked at this with our on-call engineers and had them evaluate what the impacts of the commercial portion of this building would be on that shared parking along Johnson Drive. We have looked at that shared parking in the past when other businesses nearby redeveloped or revitalized, maintaining an eye on whether this is actually functioning the way it was expected to function in 2006 when it was established.

Overall, the commercial uses still function okay with that shared parking. There are certainly some behaviors in parking that will have to change if any development happens on this lot. Right now, that large parking lot is vacant. There are new office users in the building, so the neighborhood is using that parking lot for various reasons. There are certainly some folks who park there because of the community center; there are some that park there to go to the nearby restaurant; there are some that store vehicles when they are working on them. That seems to generally work okay. There are places for those people to go alternatively when this redevelops. The larger impact that we looked at with our consulting engineers was the impact to the residential. Main Street District 1 design didn't anticipate 200 apartments using the on-street parking. So, we asked the applicant to provide us with some information from their past experiences in their developments that are similar to this, what they see as the parking demand, and how they would accommodate that in their parking structure.

Included in the project narrative is background information about that. Basically, they're providing or anticipating a higher mix of one bedroom apartments in this development than their other ones, and they are fine-tuning the number of parking stalls. Generally, they are looking to provide one parking stall for each one-bedroom apartment, and 1.5 parking stalls for a two-bedroom apartment. They are anticipating a 75 percent mix of one bedroom and a 25 percent mix of two bedrooms in their development. So, with those counts and those ratios, they expect to need about 225 parking stalls for residential, which would be accommodated in the parking structure.

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Hand in hand with parking is traffic. We had them do a traffic study to gauge how many trips are generated by the uses on the site. They compared that to the former use, which was office use. Sometimes we forget when a building is vacant that the surrounding road network was set up for office at the time. So, even though it's been vacant, they look at the former condition, which was office. So, there's a little flip-flop that happens in traffic generation when we switch from the site primarily being a destination for people to go to work, and the site becoming basically people's homes, and they're leaving from there to go to work. So, the traffic generation report basically said that there wouldn't be a great change in the total number of trips; they would just be going in the opposite direction. People start at the site and leave versus coming to the site for work. There would be a little bit of difference between an office use that had clients coming to it during the day. There is still some further information that the traffic engineers want to see in regards to the impact of businesses at this location, as well, and the preliminary numbers didn't capture all of that. So, the traffic engineers have also reviewed the trip generation and are generally satisfied. They do recommend reserving the right for further comment based on a final study. So, staff has added the condition that the final study be submitted with the final site plan before completing any design. Overall, they have looked at the access points and the surrounding street and believe it can be accommodated with very little change. If there are any changes that need to be made, those would be the responsibility of the developer, as well as the on-site improvements to put the on-street parking in, as well as streetscape in other areas that eventually would be turned over to the City.

Talking about those in general, we have provided the applicant with the design standards that we use for the Johnson Drive Rehabilitation Project, which has all the landscaping standards that we use elsewhere in the corridor, so that they can design to those. There are some basic requirements in the design guidelines that we always follow. Those have to do with the eight-foot clear path along Johnson Drive on the sidewalks. Beverly Street would only require a five-foot wide. So, we'll look at all those details at final site plan, but they have been made aware of those, too.

There's a bit of discussion about signs. When you look at the preliminary exterior elevations of the building, you will see signs hung on there. We have encouraged them to pursue sign criteria, which seems like an appropriate thing for this development. They wouldn't have to have one; they're not exactly a shopping center or something larger. However, it seems like it would fit to consider some alternate sign criteria.

Also included in the staff report is a discussion about stormwater. That is another study that has been started and is under review by our engineers. Basically, the site drains to the southeast and there is accommodation for that drainage in an existing underground stormwater infrastructure. However, we do still check all the numbers to make sure there are not any unintended impacts to the stormwater system. So, again, there is a condition in the staff report requiring that the study be finalized before we're completely satisfied. They have already met with the Sustainability Commission and reviewed a

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favorable opinion of their design development. I don't have the final score. The Sustainability Commission does a scoring review and then issues a score as to how sustainable the project is. So, when I have that, I will include that in the final for you.

Also included in the staff report are the findings that are required to be made for basically any site plan. Of the most interest is the finding that has to do with the degree of harmony. Again, this project would be subject to those Johnson Drive design guidelines, which are a key factor in making that determination at final site plan.

There is also a dedication of right-of-way that needs to happen. That would be taken care of by a separate document that amends the plat.

I think that concludes staff's report. We do find that it conforms with the Comprehensive Plan. We think it meets the overall intent of the MS1 zoning district, and it does meet the findings as stated in the staff report. Therefore, staff does recommend that the Planning Commission recommend approval with stipulations, which have to do with the deviations and the outstanding reports that are needed, the studies that are needed for traffic and stormwater. First, approval of the deviation to height to allow building height of five stories or 65 feet. Second, approval of the deviation in use to allow for residential and office uses on the ground floor. We stated in this that the condition be that the retail and service uses be required to make up a majority of the Johnson Drive project. Again, that's open for discussion, so if you would like to change that percentage allocation, you have the authority to do that. Third, that a final traffic study and final stormwater drainage design plan be submitted for review with the final site plan. That should include appropriate text, maps, drawings and tables, as needed. Finally, that staff reserves the right to provide additional comments or stipulations based on those reports.

As I said, there is a project narrative provided by the applicant in your packet, as well as two sets of drawings, the preliminary site plan drawings and a design package in color. That concludes the staff report.

Chairman Lee: Thank you. Would the applicant like to step forward and make a presentation?

Steve Coon, EPC Real Estate, appeared before the Planning Commission and made the following comments:

Mr. Coon: Good evening. We have read Danielle's report and agree with staff's analysis and recommendations. We do not have any negative things to say about what Danielle just said. We agree with everything she stated. We are very excited to be here. We love the site, we love Mission, love everything that has been done to Mission, to Johnson Drive, the improvements that have been done to the streets in the last few years, the streetscape, the common areas. That's one of the things that attracted us to the city and the area. We feel like the building will be good for us because we like sites that are walkable. We like sites that can blend into a community and be part of the community. We feel like this building and this project has every opportunity to be successful. Of all

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the projects we've done in the Kansas City area over the last six or seven years, this quickly became one of our favorites because we loved the architecture and the way that it fits into the fabric of the neighborhood. They don't all have the opportunity to do what we're able to do here, but I think that the authentic nature of the community, the people that live here, that this building and what we will offer will fit very well. Thank you for the opportunity. Are there any questions?

Mr. Babcock: Steve, the first thing is, you guys do great work. I really enjoyed the opportunity to see some of your other places, and I hope we can make this work. A couple things. One, in your parking plan, you mentioned that the Villas at Mission Farms, you had, I think, 40 extra spaces you were figuring at 1.6 average per unit. You said 51 Main, you had 25 extra that, it was at 1.3, and you had 25 extra spaces, and you're looking at 1.2 here. I come out with 240 spaces; I think Danielle said 225. My thing is, on your other projects, when you said "stabilize," what I understood is it's stabilized from a parking standpoint, but basically you didn't have any retail yet to speak of. At *[overlapping dialog]* Main, I thought the whole bottom floor was empty at the time we went through it. You have a restaurant coming on board --.

Mr. Coon: It is, but when we look at the demand for the apartments, we separate the retail. We have a gate.

Mr. Babcock: That was my question. Do you separate the apartments?

Mr. Coon: Yes.

Mr. Babcock: How do you track that? Do you ask each resident how many cars they have?

Mr. Coon: When we sign a lease, we know whether it's a one bedroom, there's one person living in it. We ask them how many cars they have. Typically, they'll pay so much per month for each car. So, we track it by lease, and we also visually track it. But, the retail is, we have a certain number of spaces for the retail. In fact, in this case, we have 90 stalls for visitors for retail. We also have a gate, and above that, we have a certain number of spaces which, in this case, is 235 stalls.

Mr. Babcock: I understand that part of this will be public parking. Do you have your retail set off separately?

Mr. Coon: Yes. You can see that we have street parking along Johnson Drive, and we have that whole line of parking next to The Bar. We count all of that. Plus, within the garage we have 90 stalls. So, 38 surface stalls, and the open parking is 52 stalls total. The visitor retail use is at 90. And on top of that, 253 for the apartments.

Mr. Babcock: Okay. And this is more of a statement than a question. The whole idea that Johnson Drive corridor is walking retail. And as I looked at your frontage along Johnson Drive, you've got a restaurant, and then you've got what I understand is the shops on the northwest corner, which would be open to the public, such as a nail salon, or whatever you anticipate in there. You have your gym facility, your leasing office, on

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Johnson Drive. I cannot support that. It's not walking retail. The rest of the bottom floor, I don't care, personally. Even though by the Master Plan it's supposed to be retail and not residential. I can live with that part. I cannot live with retail not being existing along the Johnson Drive corridor.

Mr. Coon: In this case, if you look at the restaurants and the courtyard here, it turns. All of that is –

Mr. Babcock: I understand.

Mr. Coon: Practically speaking, we need our leasing office, which is most of that area is our leasing office, we need that facing Johnson Drive.

Mr. Babcock: According to your plan, this place between the restaurant and the gym is your leasing office, but then your gym is actually a bigger space than the leasing office. According to the thing I was looking at – that one.

Mr. Coon: No, that's the club room.

Mr. Babcock: When you call it a "club room," is that your, like your bar area?

Terence O'Leary, EPC Architect, appeared before the Planning Commission and made the following comments:

Mr. O'Leary: Yes. When you go to the left, you come in –

Mr. Babcock: I'm with you.

Mr. O'Leary: You come into the left and that's the leasing office. In our leasing protocol, we have like a retail environment. So, our leasing store, so to speak, provides for an area here that shows our finishes, etc. And as you come this way, this is the social area. We'll use these as a community center, so we want it facing the street so we'll have like you get at a civic event there, or the residents can have an event there. So, it's a social space. We could have fundraisers in there, we could have a Chamber event, etc. So, we don't want to stick that in the back of the property; we want to open that to the street. This area here is like a bike store, nail salon – that's what this area is. You can kind of see the treadmills. This is the gym back here, which opens into the courtyard.

Mr. Babcock: My statement stands.

Mr. O'Leary: We also feel like there's lots of amazing retail in Mission. We have a pretty good model of what we need to make this successful from a frontage standpoint. And like Steve said, we do have leasing offices and retail on 51 Main, on the same frontage. Mission Farms, we have our leasing office and retail in the same frontage. So, we do have instances in several places that are like that, where we combine those. It's kind of our front door. That's why we like it like that.

Mr. Babcock: My statement stands.

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Mr. Troppito: Steve, it may be premature to expect an answer to this tonight, but if this proceeds to the final plan stage and drawings, with respect to the residential units, one thing that I would like to know is how you plan for internet connectivity in those units. The reason I bring it up is because of the frequent problems I see in residential units, the infrastructure within is, you end up with wireless routers in closets. Well, that's not line of sight. There are issues of bandwidth depending on where they locate their laptops, or whatever. But beyond that, it borders on health, you know, people who are increasingly relying on high bandwidth and internet connectivity for medical devices. Also for smart devices and appliances, etc. So, I'd like to see that addressed in later stages.

Mr. Coon: You think faster is better?

Mr. Troppito: Faster isn't necessarily better, but when you're paying for faster and not getting it where your device is located, that's a problem.

Mr. Coon: Well, we do everything we can to stay up with the latest technology available. We work with the different providers. How many different providers are we putting in there, Mr. O'Leary?

Mr. O'Leary: We put in three, at least. Right now with our projects, we put in fiber optic networks. AT&T bids a fiber optic network, a trunk into the building. So does Google, and so does [*inaudible*] and Time Warner. So, those networks are run into each apartment in addition to the public common areas. So, each apartment dweller can select which provider they want. They can have one for TV, one for internet, or whatever it is. You can buy the same speeds in an apartment as you can in a house. With Google or Time Warner, you can buy 100 mgs. You can get free Google service, which I think is 10 gigs or 5 gigs, something like that. But you have the same speed in each apartment in this as you do in any house that any of those providers provide in the city. So, we will have four big trunk lines that will come off where the infrastructure is in the street, working with civil and the City. We'll have six inch pipes that will work with all these providers. We've done that in all our projects. In fact, back in 2003, we built the first all-wireless apartment community in the United States, working with Southwestern Bell. We put in fiber, we put in T-1 lines. So, we've already been on the leading edge of that. We're the first one to have Google fiber in our 51st & Main project. And our project at Mission Farms, I think a lot of you have been in. We have Direct TV satellites, Time Warner, and AT&T in that project. So, we are very much on top of what people need, making sure we provide everything necessary for home businesses, security, safety, and general internet use.

Mr. Troppito: Thank you. I look forward to the specifics.

Mr. O'Leary: I assume you have all those services in Mission, so it will be the same as what you have in your houses.

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Mr. Coon: You'd be surprised at how many people look at our apartments who have home businesses. So, it's important to them that everything is fast. We do everything we can to get the fastest service we can.

Mr. Troppito: I look forward to seeing the distance calculations as you proceed through your plan.

Ms. Dukelow: I have a question. Just as a point of clarification, we have talked a little bit about the retail on the ground floor. With regards to the northwest corner, are those services – nails, bike – is that bike storage?

Mr. Coon: Bike repair and bike storage.

Ms. Dukelow: And are those services for the residents, for the public, or both?

Mr. Coon: Both.

Ms. Dukelow: So, those will be accessible from the Johnson Drive sidewalk?

Mr. Coon: Yes. That's the intent. We don't have a side lease with anybody yet, but that is the intent.

Ms. Dukelow: The intent is to lease the space to an outside operator for the public and the residents.

Mr. Coon: Yes.

Chairman Lee: Thank you. At this point, we will open the public hearing. Is there anyone who would like to step forward?

Virginia Cuppage appeared before the Planning Commission and made the following comments:

Ms. Cuppage: I'm an import from Shawnee, and I have lived at Mission Square for six years. We love it here. It's a wonderful place to be. We love the city. I want to thank both the architect and the City for coming to Mission Square and sharing with us a lot of what you've heard. But, he's raised a few more questions that I want to try to address.

Our biggest concern is the height of the building, and also the outside structure of the building. We are very pleased and think Mission did a great job with the Sylvester Powell center, and also with Mission Square. As a representative from Mission Square, I am expressing to you a number of our questions.

Would there be any way that the outside of the building could conform more with what we already have? That would be Sylvester Powell. I think that Mission Square has requested to have the same architecture as the Powell Center. It does. And we've had many people come and comment. The balconies are wonderful, and it's a beautiful building. So, the actual outside is so entirely different than anything here in Mission. That's a concern. We would like something on that parking lot. It's not very pretty, and I happen to live on the north end, where it's really not pretty. And the empty building there

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isn't either. So, we realize Mission needs the income, and needs to have something added to that particular place. That would be a concern for us, is the architecture, and also the height of the building. The buildings they have built are gorgeous and fit beautifully in Mission Farms and the other areas.

I think you've noticed that the one at 80th and Metcalf is right on the sidewalk. There is no parking in front. Parking has been proposed for the front of this building, and already those of us who live in Mission know that backing out onto Johnson Drive is a very interesting chore, especially at busy times. The other place that isn't that difficult is in front of Lucky's and the post office, where parking is set back from the street, and actually double to what they would have here, probably. It would be easier and safer if the parking could be pushed back and you could safely back out and pull out onto Johnson Drive. That's a concern.

We were wondering about trash pickup, and the driveway that is there on the front, that's the only place there's a loading dock. So, coming in and out of there with trash pickup is – the loading dock or whatever would need to be brought into the restaurant, right off of Johnson Drive. There are more than cars. It wouldn't be cars. It would be delivery of that type of merchandise.

The other thing is the corners. You have a traffic study that says that there will be, I believe the gentleman said that at least Mission Square, there would be one additional car per minute at the busiest times, which would be going to work and coming home. But, the corner of Beverly and Johnson Drive now is difficult. And the corner of Beverly and Martway is very difficult. Also those coming in off of Mission Square, because the call center is where we drive in and out, that's a difficult place to get in and out. It would not be any easier. Has there been any thought to a traffic light at Beverly and Johnson Drive? That would be another question. Other than that, I think it's a wonderful walking city, and I hope we can keep it that way. Thank you.

Kathryn Koca, appeared before the Planning Commission and made the following comments:

Ms. Koca: I am also a resident of Mission Square. We recently celebrated our anniversary in Mission Square, is six years on Saturday. So, we have been with that building since the very beginning. I would like to second whatever Virginia said. My concerns also are with the height of the building, and the fact that the building does not blend in with Sylvester Powell and Mission Square. I believe when Mission Square was first built, there was a requirement or something that said that it should be designed to match Sylvester Powell. I may be wrong about that, but I think that's what there was.

Another concern is the traffic. Lamar and Johnson Drive and Martway are all busy streets as of right now. There are 55 units in our building that use those streets. I have a unit that faces Sylvester Powell. I can watch out the window when they have special occasions, and the amount of traffic that comes into Sylvester Powell. And I can see

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people going around and around, trying to find parking spots. So, that would be one of my concerns.

Also, my concern as a citizen of Mission would be that we have another big project with a big empty space that's been sitting there for very long time, and I do not know the details of why that is. But, are we as citizens of Mission going to be able to have two large apartment complexes, and to fill them? I doubt it, but that would be something to be determined later on. But it would make our square block have 55 of our residents – 55 units – 220-plus units in the new building, on one square block, plus a community center, plus a Salvation Army store, plus a bar/restaurant, and other restaurants that would be built. So, my concern is this type of building, the traffic that would be involved, and the density of that particular block. So, thank you for your time and consideration.

Linda Sisney appeared before the Planning Commission and made the following comments:

Ms. Sisney: Brian Sisney and I have owned a building at 6001 to 6005 Johnson Drive for about 40 years. We have watched Mission through the ebb and flow of the 80's and 90's. My husband is a retired commercial real estate broker who did a lot of leasing here on Johnson Drive. We were part of the committee, I'm not sure how long ago, but it was about the time we were redeveloping and putting nice updates to Mission, Kansas. We were part of a committee that was looking into the parking for the retail shops in Mission. We spent a lot of time on that committee. We spent a lot of time going to different areas of our city, looking at how they handled parking for their retail. I heard this young lady talk about people who were parking in places – and I can't remember exactly what you said, but something about parking in places where they maybe don't belong. Partly it's because it's very, very hard to find parking for the retail shops that have people coming in. Some of our smaller retail along Johnson Drive don't have the ability to have people come because they just don't have the parking places in front that they would like to have. So, we are very fortunate with our building. We have a very big back parking lot, and we are probably one of very few people on Johnson Drive that have the parking lot behind our building, which is used a lot by everybody, not just people in our building. That's one of my concerns, is just how that is going to be handled. I don't have a packet, so I don't have all the specifics on what they said about how much parking they have for everything, but I just wanted to bring that up. I think that's really a concern that we need to look at.

Chairman Lee: Thank you. Anyone else? Seeing no one, we will close the public hearing and bring it back to commissioners to discuss.

Mr. Brown: I'm kind of in agreement with Mr. Babcock. My personal opinion is that the short side of the building along Johnson Drive, that entire front should be retail and service uses that are open to the public. I don't really have an issue with granting an exception to the height of the building. The testimony that the two ladies gave, I thought they did a good job of making the building look congruous with the community center,

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bringing in arches and tile work that we were doing. So, I'm kind of at a loss for your comments in that regard.

As far as parking goes, they're building a parking garage that's going to have 200-plus stalls in it. So, I think they're trying to accommodate parking for the residents and the visitors to this, which I hope will take care of it. I would support modifying number 2 to say, "approval of the requested deviation to allow residential and office uses on the ground floor, with the condition that the retail and services be required to occupy all of the Johnson Drive frontage."

Ms. Buford: My question is, you want them to come and make the investment in this project that is your project, but you don't want them to have to their front door of their business to their customers? I'm trying to understand why you wouldn't want them to have a front door to their office.

Mr. Babcock: I can answer that. They've got two doors there. One door, if you look at the restaurant, there's a door to the left, to the west of the restaurant. I personally look at that as, you can still say "leasing office" and bring it into the interior. My thing is, as it is, the current plan, which we are the keepers of the plan, right? The current plan says that the ground floor in that area will be all retail. I don't think either of us are saying that it needs to be all retail. But, if you look at the spirit of what we're trying to do along the corridor, it's walking retail.

Ms. Buford: But 90 percent of their business is going to be walking in off that street, though. Their business is going to come off that street, walking into this apartment –

Mr. Babcock: I do not believe that leasing is considered retail business.

Ms. Buford: It's walk-in business, though.

Mr. Babcock: I don't think that's in the spirit. If you go through and look at all the businesses that the plan is looking for in that corridor, that's not what they're looking for. Now, that being said – and I've talked to Danielle about it – I do think we need to discuss after this particular portion of the meeting that there are changes that need to be made in the zoning, because there are some businesses that are being told that they can't occupy because of the way the zoning is right now – an example is an insurance agency – on the back side of the buildings that make up Dickenson Theater. I personally don't think that is walk-in retail back behind there. But, that corridor along Johnson Drive, I think we need to be fairly hard and fast with that. We're already considering a waiver for the rest of the ground floor. We're giving them a height waiver, which I personally have no problem with because at one end, you have Mission Bank, which is taller; the other end is Mission Bank, which is taller. And then, I think ScriptPro in the middle, which is about the same height. I think that's a reasonable thing to do.

I'm sorry, I don't completely agree with you, ma'am. It's a Mediterranean type design. I think that's kind of keeping with the area. So, I'm fine with the design. I actually love what they have done with their other properties. When we look at the grand scope of the

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project, I think they can still have their front door; they'll just have a longer hallway to the office. That's my personal thought.

Ms. Dukelow: I wanted to ask if we could see a rendering.

Ms. Sitzman: The color or the line drawings?

Ms. Dukelow: Something like that, yes.

Ms. Sitzman: This small white box at the bottom is the Salvation Army store.

Ms. Dukelow: I was just thinking that if the, you know, I think it looks great. But, if it were a little darker, a little deeper tones, there might not be as much contrast between this building and the others. I mean, it's a design decision. Certainly limestone panels meet the intent of the Johnson Drive guidelines.

Mr. Bruce: Mr. Chairman, I'd like to ask the two ladies if they could be more specific about their concerns regarding the height.

Ms. Cuppage: Yes. Maybe it's my concern at the changes. We were told that there would be 180 apartments; I don't know how many parking places that would be. All of a sudden, it's now 23 additional, and it's an extra story higher. I think the original one we heard about didn't seem to be that invasive, but I think that extra story on top of it is what our concern would be. Mission Square is three stories high, but it also sits down another story. So, it's really two stories high on the outside. I think their buildings are beautiful in Mission Farms and in other areas. And they coincide with the areas where those are. I think your suggestion of a darker outside would really make it more a part of Mission. I guess that is a Mission design; I don't know enough about design to know what's Mission and what isn't. It's probably a contemporary Mission design. It doesn't really look like the Mission I'm familiar with, like in Arizona.

Mr. O'Leary: I probably wouldn't call it contemporary, but it's also not an old Mission style church architecture. It adds an urban/Mission flair to the streetscape.

Ms. Cuppage: That's my concern, that it changed.

Mr. Bruce: Is it just the units on the north side of your complex that have the concern about the height? Obviously, the west and south would not. Maybe the east.

Ms. Cuppage: I don't think it's an individual person or apartment. I think it's the general look from Johnson Drive, that there are lower buildings right next to it that are also set back from the street. This is directly on the street. Yes, it has eight feet, I believe.

Mr. O'Leary: Twenty feet.

Ms. Cuppage: Twenty, including the parking?

Mr. O'Leary: No. The sidewalks, are they going out 20 feet?

Ms. Sitzman: You designed about 15 to 20. It's not set yet.

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Ms. Buford: What would that be, including the parking?

Ms. Sitzman: The parking is another 16 or 18 feet in depth, I believe. So, 45 –

[Break in recording.]

Ms. Cuppage: ... extra story. Is it going to get any bigger? That was a concern. And I think darkening the outside would be *[inaudible]*.

Chairman Lee: I have a question for the applicant. The percentage of retail currently along Johnson Drive, what percentage of that is retail?

Mr. O'Leary: As far as lineal frontage?

Chairman Lee: How much of that section is retail?

Mr. O'Leary: Our architect and civil engineer *[inaudible]*. They are worth what we're paying them, but I'm not sure -- *[Laughter.]* I don't know exactly. It appears to me to be about half. I mean, if you just take, you know, I know that's eight inches. So, it looks like if we take that and add that, I'd say it's about 50/50 or 55/45. We are in a lot of areas like the City Centre in Lenexa; we have a project in Flagstaff, Arizona, where everything is retail around us. And the developer is a retail developer, and everything on both sides of us is retail, which is similar to this. And we have our clubhouse and social room in the front to engage the street, which is part of the reason people like to move into these areas and these types of buildings. We have to have windows that open up to the streetscape and talk to the street, etc. That's part of our business, and that's what our residents want. So, we want to keep those who live in Mission, whether they live here or are moving here, to experience the great streetscape that has been developed. We program these based on what our residents need for amenities.

This is a \$40 million project. We have to prove to our investors that things are located in the right areas. These projects are highly amenitized now. It's highly competitive in the marketplace. Windows, light and positioning is very important. We really can't put a clubhouse on the side and put retail there. That's the only area we could find to put loading docks. This isn't really a concept. This is pretty close to final plan, although we obviously have to do more work on details. But the layout has been very well thought out. People like gyms located looking into the courtyard area. The restaurant kinds of talks to the inside and outside of the building. Fortunately, we had enough room to accommodate this green space in here, pull this back so these residents aren't right on top of the – It's kind of a nice little green space there on top of this wall. This loading dock, we have the, at the fronts or sides of all of our buildings. They are covered loading areas, they just don't have trash spilling out.

So, again, that's our business, and we want to speak to the street as well as the retail, because we want our customer to park right in front and walk in. That's the way it is at both the Mission Farms property and the City Centre in Lenexa. And, we're getting ready to build 80,000 feet of office and retail right across the street from that. We love this location because of the retail. We're not in the retail business. If the area needs

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retail to help support our residents, then we would add more retail. But, this building runs north-south and we don't have a lot of frontage, as you can see. So, we think if you take half the frontage and dedicate it to where it's additional retail in the area, that adds retail. So, that's generally why we put things where we did. We really are concerned about putting things where the residents like them, and how they work with the street, etc.

Mr. Babcock: Your clubhouse isn't exterior at Mission Farms.

Mr. O'Leary: Yes, it is.

Mr. Babcock: The leasing office is to the right as we walked into the building.

Mr. O'Leary: You're talking about 106 or the first one?

Mr. Babcock: The one that we got taken to.

[*Overlapping dialog.*]

Mr. Babcock: That's your building, right?

Mr. O'Leary: Yes.

Mr. Babcock: That one, the clubhouse is interior, right?

Mr. O'Leary: Well, the club room is sandwiched in there because the configuration of the site was more triangular. We put two guest suites. We didn't want to put the clubhouse up front because it was right next to –

Mr. Babcock: My point is that you can get a clubhouse interior. You're making that one work. If I remember right, the Lenexa City Centre square, the leasing office was to the right, a salon to the left, and then you went back farther to the clubhouse –

Mr. O'Leary: It's about from that wall to right here.

Mr. Babcock: But it didn't have an external window.

Mr. O'Leary: No, that one doesn't, and it's actually a problem. So, we always try to improve and do things that are better with each project, and the ones that have windows, which are most of them, that speak to the street retail areas, are the most successful amenity rooms that we have. I would prefer to not do either one of those. In fact, we thought about tearing that wall out and moving that back up front. We had that conversation last week. But, the reason it's like that is because the City said, they also have a stipulation that retail is along the whole first floor. And we said that we can't do that. They invited us to come out to that area and we said, if we're going to come there, this is the way we think it's going to work. They asked if we would just put something, somewhere. So, we stuck that in part of our clubroom, and that was a mistake. They'd like to take it back out. So, that's why it's there. Not because we put it there.

The way things were programmed in Mission 106, that got shoved back based on a site configuration issue that was not preferred, that works okay based on how the [*inaudible*]

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sets up. Again, it's not preferred. But the one across the street, Mission Farms, our first one is on the street. Our Highlands one, which you may have driven by, that has a separate clubhouse. If we can't put club rooms on the street, we'll put them up top. So, if you wanted us to add a sixth floor, we could put it up top. We do need that access.

One of the other reasons is that our front door at Mission 106 we didn't feel was important, the front door, because that place is a retail center, and it funnels people right into our project. So, you have to take into consideration some of those external factors. We do have site constraints with the various projects, and we do the best we can. But where we can, we prefer to have our leasing office entrance and the windows to the clubroom on the street. And we want this to be as successful as possible. We don't see another really good place to put the clubhouse. The club is a social room. We don't want it facing a parking lot on the side; we don't want it facing the wall. So, it makes a lot of sense.

Mr. Coon: One other thing. Mr. O'Leary actually came up with this idea about a courtyard, again, to draw people from the sidewalk and street. So, we put the courtyard in the corner, and then said, well, we really need to wrap the courtyard with retail. So, I think the way that we configured this is going to be extremely popular. So, we took a lot of what might have been retail along the street and concentrated it here around this courtyard.

Mr. O'Leary: If we hadn't done that and just pushed all the retail square footage to the front, how much square footage would we add? Even if you take out a little entrance, it's probably pretty similar to what's there. The other thing is that retail has to be 70 feet deep.

Mr. Babcock: How deep is, like, your office and that clubhouse?

Mr. O'Leary: Our widths here are 65 to 70 feet, and this here is 35 to 40 feet. So, you need bigger depths. You'd have to basically make this whole section retail like that to go across. One of the problems at 5100 Main, which was an accommodation based on site constraints, was that that retail was only 55 feet deep, and it's been sitting vacant for three years. They finally have a restaurant at the corner, [*inaudible*] the people who lease these spaces, because we've done a lot with Red Development in other cities such as Denton, Texas, so we are very familiar with what the small-shop retail looked like, or needs. You know, for back of house or anything else, it's 60 to 70 feet. So, we give up that whole front area. And then you have back-of-house issues with loading, etc. So, these projects, it's hard to fit retail in the correct way. It changes the complexion of the project quite a bit.

Ms. Dukelow: I have another question related to what you're talking about. The clubhouse that fronts Johnson Drive, what is the use for that space? Is that for the residents or the community?

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Mr. O'Leary: It's both. We use it for community functions, fundraisers, chamber events. It's a social area for the residents.

Ms. Dukelow: I'm just wondering logistically how a person – They'd have to reserve it?

Mr. O'Leary: It's not like an open public space.

Ms. Dukelow: It's not like a coffee bar or anything like that.

Mr. O'Leary: No. I mean, there's coffee in there for residents, but it's not for the public use. It can be by reservation. We've done a lot at our facilities for community events, chamber events, fundraisers, in Lenexa and Overland Park. We've done hospital fundraisers for Children's Mercy at Mission Farms. So, it is open for use for other than just the residents.

Ms. Dukelow: What is the approximate capacity?

Mr. O'Leary: I don't know. I would say 60 people. That one particular room, if you open up the lobby areas, the corridor there, and the gym area, if you're having a big open house, you could get more people in there, I guess. But if you just had the one area, it's about 60 people. We also have had community events in our courtyards.

Mr. Davidson: I have a question for Danielle. How many apartments are on that fifth floor?

Ms. Sitzman: I'm not sure I have the detailed floorplan floor-by-floor yet. They might be able to speak to how many units per floor they anticipate.

Mr. O'Leary: Thirty-six to 38 apartments.

Mr. Davidson: Okay. The concern I'm mulling over is I agree a little bit with Virginia, that this building does push the envelope as far as the elevation in this area. Yes, we have the Mission Bank towers on each end, but this is up at a higher elevation from where Sylvester Powell is. I've seen all the elevations, which are wonderful. It fits very well with the architecture, especially around Sylvester Powell.

Another concern that I'm hearing is the traffic issue. Danielle, you said that traffic engineers are going to do more studies as far as bringing in that fifth floor of 36 plus/minus apartments. That would reduce some of the load on the traffic. And I understand as a development, the economics have to work for the investors, and for the project. Biggest bang for your buck, so to speak. It's all done very well. So, that's just a concern. I generally bring things up to the group of what I'm thinking about. Also, if possible, if you drop this thing to four stories, can it possibly be a three-level parking garage? I know you've done all your economic studies, but it's just something I wanted to throw out there.

Another concern that I'm sure will go into the final drawings is the buffers on the west side of the facility, when you have those residential units on the first floor. I have no clue what the back of that Salvation Army building looks like, but it's probably not that

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attractive to look at in terms of residential units. There is a retaining wall there, I guess. Are you guys above the elevation or below that?

Mr. O'Leary: That wall is 8 or 10 feet, and we will landscape that wall. That's why we pushed those units back. There's quite a bit of depth for some green space.

Mr. Davidson: Basically, your first-floor elevation is basically eight feet below the Salvation Army first floor?

Mr. Coon: That's probably about right.

Mr. O'Leary: On average, if you're right at the street level, it's obviously not that. It goes down as you go. It might be 10 feet at one end and 2 or 3 feet on the other. I think right where the building is, the site is probably up 2 or 3 feet, even at that point. It gets greater as it goes down.

Mr. Davidson: What type of retaining wall, and what is that wall proposed to do?

Mr. O'Leary: Well, it's already in. It's an existing wall. It's a stone wall right now.

Mr. Davidson: Okay. Maybe it's a dry-laid stone, now that I've seen some of this. That was just a question that I had. And as far as the main color of the building, is that an EFIS?

Mr. O'Leary: It's real stucco, not EFIS. And we will bring real color options. The rendering is showing the – If you go to the night shot, it trends down a little bit. We'll study that and bring some color options.

Mr. Coon: We have studied the color, and to Virginia's point, we looked at the colors of Mission Square and Sylvester Powell, and we love it. But do we want to mask that and make everything look like a campus? We don't really want to create a campus. I think that's the last thing we want. We want variety. So, our task to our architects was Mission style, Mission style, Mission style. And we just threw up Mission style on a wall and started picking out details that we liked, and they came up with what we're showing you tonight. Capitol Federal at the corner of Nall and Johnson Drive is a great-looking building. It's white, and it has a nice contrast, a lot of distinctive architectural features, and it looks really good. So, whether it's light white, or off-white, we think with the design that we've come up with, that a lighter color looks better.

Mr. Davidson: I totally agree. You don't want to make it look like a campus. I think the architecture and the colors are superior. I just wanted to state those concerns to the group.

Mr. Coon: And to address the unit count, five stories versus four stories, we did look at four stories, around 180 units, like Virginia said. We did do that. We couldn't make the numbers work. That's one. Secondly, we've built four and five stories, depending on the size of the site. Quite frankly, the five-story buildings that we build look every bit as good as the four-story buildings. And the way that we've terraced the corners, our intention is to terrace the corners down, which is a very effective architectural treatment to minimize

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the height. So, yes, we were 180 units, but that wasn't our official unit count. We were still studying the cost.

Mr. Bruce: My last comment is I really don't have a problem with the leasing office on the front. I think that is a walk-in business type operation. If you look at the general thrust is to get high density, so having five floors of high-density housing as opposed to four floors seems to work with what the thrust is, which is to get more people in less square footage in the city. Those are my last two comments. Thank you.

Ms. Dukelow: I just want to say that I agree, I mean, I understand that the developers and the plan is made to suit the needs, and that you've done your research on what works. I guess I'm trying to figure out a number here. If there's a nail salon, and you've got something else going on over here on the northwest corner, I think we could probably reach 75 percent of that frontage. If we're considering restaurant retail. With walk-in, I think we're closer to 75 percent.

Mr. O'Leary: It's 1/3 leasing, 1/3 retail and 1/3 restaurant. But I will reiterate again that unless we take that whole depth of the front and turn it all into retail like we did for the restaurant and that other retail space --. You can put in a mom-and-pop bike store, bike repair, which the residents like that, especially in that area. Also, some type of dry bar, etc. We can fit that in there, but we can't take that whole rest of the frontage and put in retail and move our leasing area, our clubroom, and our exercise room all to the sides of the building. It just doesn't work. You can't lease a 40-foot depth store in the marketplace. So, even if we wanted to, we'd have to change that whole frontage depth.

Chairman Lee: Any more comments? [*None.*] I would entertain a motion.

Mr. Troppito: Mr. Chair, I recommend to approve Case #17-04, the Preliminary Site Development Plan for Mission Trails to the City Council, with the following stipulations 1 thru 4:

1. Approval of the requested deviation to height to allow a maximum building height of five stories and or 65 feet.
2. Approval of the requested deviation to allow for residential and offices uses on the ground floor with the condition that retail and service uses be required to make up the majority of the Johnson Drive frontage.
3. A final traffic study and final stormwater drainage design plan must be submitted for review with the final site plan. The appropriate text, maps, drawings and tables must be included.
4. Staff reserves the right to provide additional comments or stipulations on development plans until all traffic or storm drainage related concerns have been addressed.

Ms. Dukelow: I'll second the motion.

The vote on the motion was taken, (6-2). **The motion carried.** Mr. Brown and Mr. Babcock voted in opposition to the motion to approve.

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Case # 17-05 TIF Project Plan-EPC Mission Trails

Ms. Sitzman: According to state statute, when a TIF project plan is submitted, it's the role of the Planning Commission to review it in regards to its compliance with the Comprehensive Plan. In April of this year, the Mission City Council did just that, establishing the boundaries of the TIF district for this property. Included in the packet tonight was that plan. Included here with the TIF application is the required documents of the applicant. The applicant submits details of their development plans. Staff does find that the submitted plan you're reviewing tonight, per deviations in the zoning, does meet the Comprehensive Plan and the intent of the Comprehensive Plan. Included in the memo are some additional details reiterated that we spoke recently about. Again, the memo references the Downtown District and the appropriate design there.

Staff does recommend approval of the resolution that's included in your packet, finding that the Mission Trails Tax Increment Financing redevelopment project plan is consistent with the Comprehensive Plan. Brian Scott is here tonight if you have any questions about the redevelopment plan. Basically, the Planning Commission's role is just to review the development aspects of that as it pertains to site planning and Comprehensive Plan. The City Council will then review the actually proforma numbers that are involved in the predevelopment agreement process that goes through them.

Chairman Lee: Any questions or comments? [*None.*]

Ms. Dukelow: I move that the Planning Commission approve Case #17-05 TIF Project Plan EPC Mission Trails, as proposed.

Mr. Troppito: Second.

The vote on the motion was taken, (8-0). **The motion carried.**

Case # 17-06 TIF Project Plan-Gateway Project

Ms. Sitzman: This one is a little less recent. The original TIF district was, again Comprehensive Plan conformance for a tax increment financing redevelopment project plan. In this case, it's for the Gateway Project on the east end of town. The City Council established the physical boundaries of the district in 2006, and the Planning Commission reviewed the final site plan for the site in March of this year. So, a little less recent, but I hope you all remember that project. Their project plan does reflect consistent descriptions of their project from what you saw on that final site plan. The project is a mix of retail, hotel, apartments, as well as some office space and a parking structure. That is all the same as what you reviewed back in March of this year.

Again, City Council will go through and review the proforma of the economic impacts of the project. I should say, there is a phasing plan included in their proposal that matches the phasing plan that was drawn up, which you reviewed. Staff does recommend that the Planning Commission approve the resolution, finding that the third amended Mission

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Gateway Tax Increment Financing redevelopment project plan is consistent with the Comprehensive Plan for the redevelopment in the city of Mission.

Chairman Lee: Any questions? Comments? [*None.*]

Ms. Troppito: I move that the Planning Commission approve Case #17-06 TIF Project Plan – Gateway Project, as proposed.

Mr. Babcock : Second.

The vote on the motion was taken, (8-0). **The motion carried.**

Staff Update

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

ADJOURNMENT

With no other agenda items, **Mr. Troppito moved and Mr. Bruce seconded a motion to adjourn.** (Vote was unanimous). The **motion carried.** The meeting adjourned at 9:00 P.M.

Mike Lee, Chair

ATTEST:

Nora Tripp, Secretary