

CITY OF MISSION PLANNING COMMISSION

June 26, 2023

7:00 PM

Mission City Hall – 6090 Woodson

I. Call to Order

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, June 26, 2023, 2022. Members present: Robin Dukelow, Wayne Snyder, Megan Cullinane, Brian Schmid, and Cynthia Smith (arrived late). Absent were: Stuart Braden, Charlie Troppito, and Amy Richards. Also in attendance: Brian Scott, Deputy City Administrator, Kimberly Steffens, Secretary, and Karie Kneller, City Planner.

II. Approval of Minutes from Planning Commission – March 27, 2022

Vice Chair Dukelow moved and Comm. Snyder seconded a motion to approve the minutes from March 27, 2023.

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

III. New Business

1. **Case #23-11 – Water Works Park Preliminary Development Plan**

Chair Lee: We have three items under new business tonight. The first will be public hearing Case 23-11, consideration of a Preliminary Development Plan for Water Works Park. At this time I'd like to open the public hearing. The applicant is here this evening.

Ms. Kneller: If we could get Penn to introduce the project, maybe that's where we could start first.

Penn Almoney, Director of Parks and Recreation, appeared before the Planning Commission and made the following comments:

Mr. Almoney: Good evening, Planning Commission. Thanks for having us today. We began this process way back in November 2019. It was a conceptual redesign of one of the major parks in Mission. Since then, we've gone through several iterations, multiple community meetings, stakeholder meetings, and presentations with City Council both in committee as well as City Council proper. In January of this year, we interviewed three different applicants for design and final construction schematic plans, and through a pretty intensive bidding process, we chose Stantec to be our final design and construction oversight for the Water Works Park improvements. The idea was to coincide construction with the closure of Rushton Elementary so that there was minimal impact to the neighboring community as well as the children who kind of use this as a throughway. So, I've invited Jake here. He's their landscape designer. Jake Stodola from Stantec and he'll share some of the design revisions Stantec has brought to the table. So, Jake?

Jake Stodola, Stantec, appeared before the Planning Commission and made the following comments:

Mr. Stodola: Good evening. Tonight, I will run through the designs for Water Works Park. Tonight, we'll go through the original master plan and then talk about the proposed concept plan with some renderings of what that will look like and then discuss the shelter and restroom and how that will fit in on the site, and then go over the playground concept and finish up with the Sustainability Scorecard.

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Water Works Park went through a community-based master plan process to come up with a park design that was approved by all, and some of those key elements that were decided in that process were a stronger connection from Rushton Elementary down to the surrounding communities, an enhanced trail loop system with enlarged sidewalks and flexible open space. In the playground area they wanted a multi-tiered playground with play areas for different ages and abilities. They wanted a shelter that would handle large gatherings, and two restrooms and it would be year-round use. They wanted off-street parking as well. I believe double what they had currently

Our proposed concept plan, I'll start from left to right, which is from south to north, we are proposing pulling the parking off the street and bringing it on site, and that is going to improve safety and access as well as create a more prominent entry arrival to the park. As you move into the park, you will walk through the shelter and restroom, and you'll also walk through two of the largest trees onsite, so it creates a great entry gateway as you go into the park. As you pass the playground, we have the multi-tiered playground there with the different play zones for different ages and abilities. And then as you keep going up to where the trails intersect, there is a great amenity there, which we're calling the community greenspace, and that's where all of the park-goers will pass each other as they're using the trails. So, it promotes social interaction, and it is also a good spot for different events that the City would be holding, like Art in the Park, or something.

As you continue up the trail loop, you'll pass a solar charging table, where you can charge your electronics. It's also at the high point of the site so you get the best views of the park. And then as the trail splits, you can either head to Rushton Elementary, or you can continue down the park. And then one other thing to note is that the trail loop from the shelter and restroom up to Rushton will be lit with solar LED lights for safety purposes.

This is a rendering of what the park entry would look like with that off-street parking and the enhanced entry arrival. You can see the trail winds into the park up to [inaudible]. This would be that community greeting space. There's an opportunity for signage, bench seating and then just open space for flexible use. This space will also be lit up by a solar LED light for safety purposes. This is the northern portion of the site. As you can see on the left, there is the solar charging table. There's a big open lawn. There's another opportunity for park signage, and we're also proposing a row of trees that will split the trail system.

As we were laying out the site, we noticed that there was a missing synergy with how the master plan called out the restroom and shelter, so we decided to look at a few different studies for how we could lay that out. The first one, the trail being brought straight off the parking would impede the existing trees, so we decided to keep looking, and we dropped that trail down on the bottom left side there in through those trees, but then noticed that the shelter had nothing to do with the playground, and that relationship was missing. So, then we were able to flip the restroom and shelter, and now the shelter responds much better to the playground, so the parents are using the shelter, they have direct access to their children, and it also gives a nice, shaded space under that tree in case the shelter is being fully used. And this is an enlargement of what that would look like. The shelter size will hold up to 75 students and other large gatherings, and then there's that spill-off space towards the playground.

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This is a rendering of what this will look like with the restroom on the right. It's got a perforated screen panel to help block views into the doors to the bathroom, and then the shelter is on the left. So, it creates this entry and gateway as you're walking into the park. Then our playground concept revolves around the theme of water. So, at the left we have the lowest point on the site, and this is where the two to five, aged through five play area will be. There's [inaudible] play mounds, one with a tunnel through the middle of it, so it kind of sets up the space to be a little divided and then the play structure there, has musical instruments, tactile play elements, and then is shaded as well. Up toward the middle is where the ages 5 to 12 play structure is. This is also shaded and it's one of the largest portions of it, and this play structure has slides. It has rope climbers, and then there is also an accessible component to it with the ramp going up to the top of the slide, so all abilities can use this. And then up at the highest point of the playground is where the swings will be set. So, this gives the best views looking off into the playground. There will be three belt swings, two bucket swings, and one accessible swing.

Then finally, our Sustainability Scorecard. We worked with the Sustainability Commission and filled out their scorecard and were pleased to meet a few of those criteria. A few of the highlights were focusing on native plants and vegetation so we don't need landscape irrigation and large walking and bicycle paths. Bicycle storage as well. We've got reduced light pollution. All of the lights will be Dark Sky compliant. And then accessibility and community for all ages. Just to highlight a few. Thank you for your time.

Chair Lee: Does anyone have any questions. I don't know if Karie also has some information.

Ms. Kneller: I don't know. [inaudible]

Mr. Scott: Let's hear your report and then we'll open it up for questions.

Ms. Kneller: I'm sorry?

Mr. Scott: Go ahead and do your report, then open for questions.

Ms. Kneller: Okay. This is Case 23-11, the Preliminary Development Plan for Water Works Park. Water Works Park is located on 53rd Street, just west of residential properties facing Outlook Street. The property is a four-acre site owned by Water One for a pump station facility, and in 1982, Water One leased the site to the City of Mission to operate the park facilities through the Parks and Rec Department. The park is currently programmed with play equipment, trails, and a small shelter. The trail connects to Rushton Elementary currently, and that site is currently under construction. It is connected via a four-foot sidewalk. There is an unstriped parking lot for up to seven vehicles along 53rd Street, and restrooms are temporary portable facilities. Water One also owns several 24-inch water main and smaller transmission pipes under and adjacent to the property.

Mission's Park and Recreation Department, Water One and Rushton Elementary worked through the design process to renovate the site and maintain the connection to the school, as well as to the surrounding neighborhoods. As Penn mentioned, there were several public meetings to come to where we are today. Two public meetings to discuss all of Missions' parks that would include Water Works Park and design details for that, and the master plan. Two Water Works Park stakeholder meetings, and one public meeting to

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discuss Water Works Park exclusively. The Parks and Rec Department has also presented information about the process to the Community Development Committee and the Parks and Rec Tree Board. The Parks and Recreation Department has worked with its consultant, Stantec, and Water One representatives to develop the Preliminary Development Plan to be considered by the Planning Commission for recommendation to the City Council. Finally, all design considerations for all amenities, sidewalks and trails and the parking required review and approval by Water One based on the location of their facilities and the anticipated maintenance or replacement of projects.

The improvements include safety enhancements, such as new lighting, new concrete shared use pathways, new playground equipment, restrooms, shelter and off-street parking. The restroom facility and shelter is planned for year-round use. Environmental conservation efforts were also included in the design, and universal design features are included throughout the site. Major pathways are ten-foot shared use trails throughout the park with create a loop for walking and biking which connect to minor six-foot walkways to access the site and its trailways. A minor pathway is located at the southeast corner and at the north and south sides of the playground, and these paths are contiguous with the poured-in-place playground surface.

The continuous trailways for activity within the park comply with Water One's requirements and preserve as much impervious area as possible. Impervious area is currently 0.31 acres and will be increased to 0.84 acres with the new design. Consultants have been looking at stormwater calculations and will work with staff and Water One to design green infrastructure BMPs prior to submittal of the final development plan.

The new playground seen there in the middle on this slide in front of you will include universal design features for users of all abilities, including multi-tier play area with age-appropriate focus areas. This is a really great slide to show some concepts of some of the equipment that may be located throughout the site. Non-verbal communication boards and musical play elements promote play for all users, and an additional community greenspace will promote community-building and interaction at a central location. A new 750-square-foot shelter with seating for groups of up to 75; unisex restroom facilities, park benches and bike racks provide a variety of amenities for users.

There is a correction here. The staff report said that there were six off-street parking spaces, but that's actually 12 with an additional two ADA striped spaces, which will double the current capacity. Solar lighting along with native landscaping promotes environmental sustainability and new signage will embrace the site's history and inform about native landscaping and educate the public on water processes.

A public notice was sent to property owners within 200 feet as per requirements of the Municipal Code for a public hearing, and notice was published in the Legal Record. The space accommodates buildings, parking and drives appropriately according to the Code as well, and the architectural quality of the buildings are in harmony with the surrounding neighborhood and the yard areas are appropriate for the park as well. This is all found in our Municipal Code at 440.175.

The proposal does conform with the Comprehensive Plan and according to the Parks and Rec Master Plan, there were seven criteria identified for all park improvements, including

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ADA accessible facilities, greater variety for play elements, expanded program offerings, maintenance of existing facilities, establishing a park facility identify, connected trail network, and extended usage of the park facilities.

Another goal of the Master Plan is to maintain a fiscally responsible Parks and Rec system. Some recommended improvements to the Water Works Park according to the Plan included specifically restroom facilities, replace and expand site furnishings, replace playground equipment, a new shelter, improved trail connections, plus some additional features such as reconfigured parking lots, reconfiguring trails, and signage and wayfinding.

Staff does recommend approval of this Preliminary Development Plan of Water Works Park with the following seven conditions that are part of your staff report. If you have any questions about that, we can certainly answer those questions, and that concludes my staff report.

Chair Lee: Very good. Thank you. The public hearing has been already opened. Is there anyone in the public who would like to step forward and speak on this agenda item? Please step forward and identify yourself.

[Comm. Smith joined the meeting]

Mary Quinn appeared before the Planning Commission and made the following comments:

Ms. Quinn: I live right on the corner at 53rd and Outlook. So, you're going to double the parking, which is right next to my driveway, and I don't know what the hours are going to be. I would like to know if the restrooms are going to be locked at night. Is there a curfew? Because we still get kids at night. I'm like the crazy park lady. I pick up the trash in the park. I watch. I know all of my neighbors that walk around there. I know the people that walk their dogs there, and I'm just a little bit concerned about...I didn't attend the meetings because I was not made aware of them. Not your problem, my husband's. Okay, so yeah, I just voice my opinion because this is my backyard, and I just spent like two years fixing up my backyard, and I want to know when the construction is going to start, what the hours are going to be, what it's going to be like. So, I mean, is that fair?

Chair Lee: Well, we'll get you some answers to your questions.

Ms. Quinn: Okay. I appreciate that. And are they going to lock the restrooms up at night?

Chair Lee: [Inaudible].

Ms. Quinn: Okay. Thank you.

Chair Lee: Anyone else that would like to speak? Okay.

Cary Pangrac appeared before the Zoning Board and made the following comments:

Mr. Pangrac: My property backs up to the park also, and it will be basically the backup to the playground. Was any survey or anything done on noise? The noise level; I heard something about musical instruments or something. My daughter lives right there, so I spend a lot of free time out there, so [inaudible].

[Unidentified Speaker]: You're the crazy park guy.

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Mr. Pangrac: Yeah. And [inaudible] so that was one question. Also the layout; could you be a little more specific on the trees that are going to be used? If anybody's been by there, I have very limited sunshine, because I have a few big oaks in my yard, so what little sunshine I have is all I have for the garden, so if we plant a couple of big oaks or maples there, I now have a shade garden. So those are two questions I had.

Chair Lee: Thank you. Please step forward.

Joe Donaway, 1530 Outlook, appeared before the Planning Commission and made the following comments:

Mr. Donaway: I live at 53rd and Outlook as well. Many questions. How long will the construction take? What happens if the construction goes over that length of time? What happens if it costs more than was originally thought? With the new parking, will there be a gate? Will that be shut, or will it be open at all times? How noisy will it be? How will construction materials and construction pollution be mitigated? The solar charging table – how will that be maintained? I've built and created one of those before, and typically the little things they plug into, those get destroyed. Cords get destroyed. The pace of technology moving forward, the cords are always changing. At the most you can maybe use the wireless [inaudible] charging [inaudible]. But even with that, when those things break, is there going to be a budget set aside or is it just going to be rogue materials scattered around this new park? Currently, I don't think the park has hours. If it is going to have hours, what are those hours going to be? Are we going to block people going to and from the park, because there's a lot of people, especially at night, who go from the Rushton area back when that was open, down to the 53rd area. Bicyclists, people with dogs, people walking home from work, and then the greenspace utilization especially during snow time, there is a lot of space for kids to have fun right now in snow [inaudible] There is a significant amount of paving. What exactly are those materials going to be that are under and around the equipment? Because if we're adding a significant amount of concrete mass or whatnot, the heat, the smell. How are we going to keep the restrooms clean? What happens if someone breaks things in the restrooms? Is there going to be a budget set aside for that? [inaudible] Any answers to any of those questions off the top of your head?

Chair Lee: [inaudible, crosstalk] Anyone else?

Mr. Donaway: Will there be locks on the restroom doors that are code locked? That turn off at a time and turn on at a time? That's just another technology question, I guess, but it will probably be [inaudible]. Will this include dog bag trash stations, will those be included, or are we getting rid of those? Because people will pick up their dog droppings when they have the ability, the bags and the garbage cans, but if they don't have that, they might not.

Chair Lee: Anyone else that would like to speak? Not seeing anyone else, we will officially close the public hearing and now get some answers to the questions from the public.

Mr. Almoney: Okay, we'll answer the questions. Hours of operation for our entire park system are the same, 6 a.m. to 10 p.m., and we included that on expectations code. Our park meets expectations, so that's current on Water Works pavilion signage and we'll continue those hours moving forward as well.

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There is a curfew that officially begins at 10 p.m. and extends until the park opens at 6 a.m., so if you notice anything happening that is contrary to what we would hope is occurring in our parks, then the police are the first line of defense there.

In terms of closing-up the restrooms, yes, they will be on a Wi-Fi locking system. It's a similar what we're implementing at Mohawk Park that's getting introduced here in the next few weeks, and we'll utilize that same system at Water Works Park, and then eventually at Broadmoor Park. Right now, Broadmoor Park and Anderson Park are the lone two restrooms and currently our staff is locking them at night.

Park play amenities – so we heard that feedback early on in our community meetings, so we took great lengths to make sure that all play amenities were as far away from the backyards of those eastern residences as possible so as to minimize how close they were to the neighboring fence lines. Keeping in mind that the survey that Stantec concluded with Water One's input, we need to maintain at least 22 feet separation from their underlying underground water lines, so that really pinched the location of all play elements to that really narrow middle of the park. So, that's kind of why it's oriented the way it is, and we reviewed them from the stakeholder community members early on, and this really doesn't stray too far from that early concept.

Tree plan layout, we do have a plan to diversify the species that are existing within the park and then have a plan moving forward, since this is really our Tree City USA child engagement park, so every year we partner with Rushton Elementary. We host a Tree City USA poster contest, and then we host kind of a fun learning day with them. And then as part of that, they come down into Water Works and plant a tree. So, we'll have a tree plan that continues to keep in mind that partnership in perpetuity.

It's great feedback about the gentleman's backyard. We try to space our trees at least 30 feet apart, and every tree now is a species that will not get taller than 40 feet but it's good feedback and we appreciate that.

Construction length, was it eight to ten months?

[Jacob Stodola]: Yeah, it is to be done by August.

Mr. Almoney: Needs to be complete by August. That's our goal, to coincide with the opening of Rushton Elementary.

Mr. Scott: Not this August?

Mr. Almoney: Yes, correct, August 2024. So what happens if it goes overtime. When you bid out a project you ask for a bid not to exceed amount, so we hold our contractors to that number and then begin a process of holding them accountable to the number that they bid on.

There will be no gate to this park, so it will be open access. Noise mitigation – like I mentioned, I think that was in regard to the musical play elements for children of all abilities. They're kind of muted. You could visit other playgrounds. A lot of times it's a xylophone or some smaller type of music-making device, so it doesn't carry too far.

Construction pollution – obviously that's a consideration of ours in any project we do and how that affects our citizens, so we've got codes that they need to abide by. They have

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permits that they've got to show how they're going to mitigate any kind of pollution, any kind of stormwater pollution, those types of things. So, we will follow-up and hold them accountable for that.

In terms of amenities that we're adding, there was one of those elements – I think it was one or two slides back – one of the important pieces of the overall master plan was making sure that anything that we add doesn't result in bankrupting the City or any of its future budgeting considerations. So, a lot of the considerations that we have are built on best practices, or they're things like cleaning a restroom, we already have a maintenance line-item that we supply toilet paper and cleaning elements to existing restrooms; so that is a nominal increase, and we've got staff on hand that can do that now. Just internally it's our practice to follow those best practices and to make sure that every neighborhood has got a park that they're proud of and want to utilize and show off.

I think there was a question about access as a throughway. All of our parks, it's our goal that people utilize them no matter the season. We want our parks to be utilized. With that in mind, we understand that there are times when we like to have the sacredness of a quiet neighborhood. So, that's why these are solar-powered lights, which kind of restricts the lighting level to only the areas we're most concerned about vandalism, which is restrooms, and play features. So, as you walk that trail heading northward and going southward, those will eventually get to a lighting level to near zero so that it doesn't impact, and I think that was the dark sky hearing report that we needed to produce as part of the final plan.

Ruining open space – I think the question revolved around are we encroaching on any usable space? Really, all of the paths that are in the existing plan just overlap the current plan and trailways, so most of them are five to six feet wide. These will be ten feet wide, so we are encroaching a little bit into that open space but largely the plan will maintain the open space and feel so you have plenty of opportunities for children to engage on soft play features like grass and those types of elements. We'll keep [inaudible] in place and it would not surprise me if, because of certain amenities some of those might alter location by a few feet, but we intend to make sure that we're meeting the needs of our community. I'm happy to answer any additional questions you might have.

Comm. Snyder: I think there was a comment mentioned about the charging tables and how they will be maintained.

Mr. Almone: Yes. Technology. Yeah. So, charging tables, those have, at least the ones that we will have, have a two-year warranty. They will not have any exposed wiring. They will just be USB ports, and you can plug your own cords into. So, in terms of maintenance, obviously if there are any troubles with that, we'll make sure the manufacturer is involved inside of the two years, and then look at potential solutions beyond that as technology advances pretty quickly. One of the nice things is that you'll still have the table, solar infrastructure, and my understanding is that whatever charging capabilities can ultimately be ported into that solar amenity.

Chair Lee: Any other questions?

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Comm. Smith: Have we compared the site plans from the final construction documents for Rushton where the connection between this park and the access to Rushton will happen?

Mr. Almoney: I don't believe we've done that. So that would be part of the final construction document piece.

Comm. Smith: Okay. That's great, because right now it just kind of looks like it dead ends.

Mr. Almoney: Yes.

Comm. Smith: So that's a really important aspect.

Mr. Almoney: I understand, especially since we've had issues with that connection in the last year. That's first and foremost and top of our agenda.

Comm. Smith: Okay, so there will be coordination between Rushton and...

Mr. Almoney: Yes, there will be.

Comm. Snyder: Mr. Donaway also mentioned dog bags.

Mr. Almoney: Correct. We'll keep the Mutt Mitts in place based off the amenity location within a few feet from where they currently exist.

Comm. Snyder: Of course, we're not expecting any [inaudible] of the ones out there.

Mr. Almoney: No, we're not, so on the contractor side we hold them to the contract that they signed with us, and on our side, obviously we've created a pro forma for some of those maintenance inclusions, so we've factored that into the practices.

Comm. Smith: So, the bathrooms will be open year-round. Will they be heated?

Mr. Almoney: Yes. They will be heated so the pipes don't freeze. That was one of those considerations at our stakeholder meeting. Because children go through it year-round, we needed to have that included. We feel like the added cost is well worth the use.

Comm. Cullinane: So you said that currently Mohawk and Water Park would be the two with the restrooms?

Mr. Almoney: Will be the two with Wi-Fi locking restrooms. Yes.

Comm. Cullinane: Those are the two with the new restrooms with Wi-Fi. Are you going to adopt, I guess, for all of the parks?

Mr. Almoney: Yes. That's our intent eventually to adopt them at each of the parks.

Vice Chair Dukelow: Thank you, Mr. Chairman. I just have a couple questions. Regarding the trail, it looks like it's concrete. Is that going to be concrete or asphalt, or a combination?

Mr. Almoney: Concrete.

Vice Chair Dukelow: Something I want to share, just my general thoughts on the rain garden at that location. I know that that the site slopes to the south, but I guess I wonder if that's the best location for a rain garden, or if perhaps it should be to the south of the

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parking area. My concern is someone...I mean, if it's a [inaudible] and fully impervious area then an area that shouldn't be having a lot of runoff, because we're obviously on turf, and there's other [Inaudible] so, I just wondered if that had been considered to locate that rain garden to the south of the parking area where it might take the runoff in the parking lot prior to it going to the sewer system?

Mr. Almoney: Yeah. That's a great question. We've actually...Stantec and Jake in particular is a pro at this now. As part of the BMP discussion you have to create an analysis of pervious versus impervious improvements and then find solutions to meet the runoff standards. So that location was just one piece of an overall puzzle to meet the standards of that total runoff. So, we have not finalized it yet. Jake, correct me if I'm mistaken but it begins in that northwest corner, kind of naturally raised toward where that rain garden is. We don't anticipate that being a rain garden, per se, but more of like a slowing area, and then culverts underneath a pathway that will continue down the left side. That's preliminary, because a lot of this has to be vetted by Water One and their feedback since it's going to coincide with the location of some of their water lines. So, we're in preliminary discussion, but the general idea is it will continue. That's just one area to slow it down. It will continue to slow down in the course of all the western edge and then eventually will tie into the underground at street grade.

Mr. Stodola: Yeah. A majority of the stormwater is coming from the north, so we wanted to stop it before it actually got all the way down to the parking lot. So, in that area that you're talking about, it didn't give enough space for what we needed for overall treatment, so we decide to have it up further in the park itself.

Vice Chair Dukelow: So, in theory if you change [inaudible].

Mr. Stodola: Correct, yes.

Vice Chair Dukelow: So, is there a potential to capture the runoff in the parking lot and treat it before it goes into the stormwater drain?

Mr. Stodola: Yes.

Vice Chair Dukelow: I mean, just saying that you've got that, this is the biggest [inaudible] the park.

Mr. Stodola: Yeah, we will have to look at that.

Vice Chair Dukelow: That's all I had, Mr. Chairman. Thank you.

Comm. Snyder: Was there any consideration with regard to EV parking at all?

Mr. Almoney: Absolutely. So right now we're including conduit for future EV charging stations. We actually scored high on the Sustainability Commission Scorecard for EV consideration because we'll have outlets there for EV bike charging and then we'll tie that into a conduit which at some point, if the funding is in place, to one of those stalls more at the edge of that parking lot. Good question.

Comm. Cullinane: I've got to say, I don't know that I love the charging cords either. I don't think it's a good idea, but I also wonder how often we actually are charging our phones at parks. I think it sounds cool, but I also agree with the resident, Joe, that they are constantly changing the cords. I mean, my new Amazon USB charger is already

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outdated because I need a new USB-C cords. I mean, it's constantly changing, and I just feel like I've traveled to a bunch of airports where the inside things break off, and I just wonder how much it'll really be used and the maintenance. And I think, you know, there's a lot of other things you could do with the money. I love everything else about the park and the different features, but I just wonder if that's something, more bang for our buck, I guess.

Mr. Almoney: Yeah. I appreciate that feedback.

Comm. Cullinane: The other thing I was going to say is I don't know if I love the shelter, like facing the restrooms. I think the screens are really nice, that those provide a little bit of privacy, but I am concerned because in the first few pictures it made it look like maybe the higher part was going to be facing north, like towards the park, towards the playground. But the other ones it looks like the higher park faces east, which is basically like, "Oh, welcome. Look at the restrooms." So, if we could maybe like turn it so that the higher part would be facing north instead and then have the other side towards the restrooms.

Mr. Almoney: Yeah. That's an interesting concept, and I appreciate that. I know originally, we had discussed entry ports and that's typically the high end as people are accessing the pavilions it's the higher roofline, but I kind of like your idea as well, so we'll look at that.

Comm. Cullinane: Oh, and then the other question was, was there going to be tree removal? Or just additional vegetation?

Mr. Almoney: There are six trees scheduled for removal, some of which are actually transplanted, so we're trying our best to keep the trees alive where possible. It takes years and years to keep our tree canopy alive and protect our area so we'll make sure that that time is well spent.

Chair Lee: Okay, if there are no more questions does anyone want to make a motion?

Comm. Cullinane: I do have a question. Do we need to propose additional amendments to make suggestions like if we want to say "Hey, let's look at the pavilion facing more north?" or what would that be?

Ms. Kneller: You can propose an amendment that would ask for them to look at. You can't necessarily propose that that is the design that happens. So, we can definitely...you can amend it to ask for that condition to be added, to look at a design that focuses the restroom toward the park rather than the restrooms. Is that what you mean?

Vice Chair Dukelow: I want to just make a comment that is in regards to the angle of the structure, and think we need to consider the solar angle as well and that hot blast of afternoon sun may be something to consider.

Mr. Stodola: That's actually why it was placed the way it was so the low point was on the west side to capture the most shade.

Comm. Cullinane: And there's solar panels on the restrooms and on –

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Mr. Stodola: There's no solar panels on that shelter. [inaudible] capture the shade.

Comm. Cullinane: So maybe potential for re-facing the restroom?

Mr. Stodola: No. The shelter captures all of the sun to cast shade now under the shelter and on the restroom. So, if you faced it north, you'd be getting a lot of sun blasting in.

Comm. Cullinane: Oh, okay.

Mr. Stodola: That's the reason we oriented the building the way it is.

Mr. Scott: I think the another issue to consider from a security standpoint when you have the shelter facing the restroom, it's more eyes on the restroom so to speak.

[inaudible, crosstalk]

Mr. Scott: Yeah, because you have children going into the restroom, you want parents to be able to observe what is occurring in that area.

Ms. Kneller: To see who's going in and out of those restrooms.

Comm. Cullinane: Like newer parks across the KC Metro don't have restrooms facing the pavilion, right? I wish there were a different way, but I guess I just don't love it facing the restrooms. I kind of think you have this beautiful park to look at and you're facing the restrooms. If there was an alternative solution to how it was facing, I think that would be ideal.

Chair Lee: I'm sorry. The public hearing is closed.

[Unidentified Speaker]: Okay, well I just wanted to know. Did you say when construction was going to start?

Mr. Almoney: Our hope is this fall.

[Unidentified Speaker]: Okay, that's all I wanted to know.

Comm. Smith: One more comment. I am very much in agreement that the cables will be destroyed pretty much immediately. Just as [inaudible] play there.

Ms. Kneller: The tables did you say? Or the cables?

Comm. Smith: The charging cables.

Ms. Kneller: I don't think...Did you say there weren't cables, there were just ports?

Comm. Smith: Ports, I can see them sticking mud in there, like anything [inaudible]. They're great, but they're destructive.

Motion by Vice Chair Dukelow, seconded by Comm. Schmid, to recommend approval to the City Council for the Preliminary Development Plan, Case #23-11, Water Works Park Preliminary Development Plan, with the seven staff recommendations and the understanding that it is a preliminary plan and that they will be considering some of the other elements that have been addressed this evening, along with specifically the coordination of the north entry with the final plans for Rushton Elementary.

The vote was taken (6-0). The motion carried.

2. Case #23-06 – Swig Soda Shop Preliminary Development Plan

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Chair Lee: Item number two, Public Hearing case #23-06, consideration of Preliminary Development Plan for the Swig at 5959 Barkley Street. The applicant is Superstar Holdings, LLC. [inaudible]

Ms. Kneller: I believe the design team is here, if they wanted to give a presentation. Did you want me to just open-up the packet and look at those materials.

[Frank Newman]: Sure.

[Frank Newman]: Yeah, I don't know that we need [inaudible]

Ms. Kneller: We don't have to.

[Frank Newman]: The engineer and architect is going to take over after I talk very briefly.

Ms. Kneller: Go for it.

Frank Newman, President, Frank Newman Commercial Real Estate, appeared before the Planning Commission and made the following comments:

Mr. Newman: I represent Swig for their real estate interests here in Kansas and Missouri, so thank you for hosting tonight and thank you, Karie, for all the Zoom calls and everything getting ready. I'll give you a little background on Swig and then I'll turn it over to our engineer and architect who are here tonight. Swig was founded in Salt Lake City in 2010. Currently, we are doing 600 to 800 square-foot, drive-through buildings. It's really a heavy soft drink concept – Coca Cola, mixed with other varieties of sodas and other flavors, and they do sell pretzles and cookies, but primarily soft drinks. There are currently 52 open stores now in five states – Utah, Idaho, Arizona, Oklahoma and Texas. I have contracts on various sites here in the Kansas City metro area. Check average is \$6.15. [inaudible] for each store is about [inaudible]. So as I said, we're growing rapidly in Kansas and Missouri and many other states, including Florida. Swig has been very well received wherever we're going with the concept. As a matter of fact, Swig and their trademark, "Dirty Soda" was featured on NBC's Today Show. So, they're getting a lot of national recognition right now and growing quickly.

As far as for the city of Mission, our team thinks Swig will be a great addition to Mission, and not just because they have really cool products, but also for social, environmental and community benefits as well. The site plan has been designed for sustainability and to be community-friendly with EV parking station, walkability features, walk-up windows, bike racks, lots of landscaping, to project a park-like feel for the project. Swig has agreed to install middle island signs for the drive-through, and they also recently adopted a bio foam cup that they serve in that biodegrades by 92 percent in four years, so that's a recent change for Swig. I'll let the rest of the guys finish out as far as specifics on the site.

Just one final word from me, so I really care about Mission. I grew up at Shawnee Mission Parkway and Milhaven area and went to the pool right next door. I am also, [inaudible] way back in the day, you know, the Gateway project. So, this city means a lot to me and actually lived at Wellington Club back in the day. So, we're trying to bring something that the city can really be proud of and we're really excited to try to bring Swig to the city of Mission. I'm going to introduce Ron Cowger who is engineer for the project.

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Ron Cowger, AGC Engineers, appeared before the Planning Commission and made the following comments:

Mr. Cowger: Good evening, I'm here on behalf of Superstar Holdings, LLC, to speak to #23-06 and #23-09 Planning Commission application. We've been working on this project with the City now for about six months, and it's been a fantastic process, actually, to be collaborative. The plan that we started out with is not the plan that's here before you tonight. The positive improvements for the project are the closing of one of the entrances. I believe that was the old Backyard Burger site, back in the day, and there was a driveway entrance that was very close to Martway. We recognize that that was probably too close, per staff's concerns, Public Works' concerns, and agreed through the new site plan to close that entrance. [inaudible] walkability largely also from Barkley and this corner lot obviously of those two streets. We have created, as Frank mentioned, truly a park feel. We recognize that the drive-through concept is not the absolute vision of the City in this location, but in that spirit, we've tried to make the best of what the situation is from our outlook. There are two outdoor seating areas, extensive trees. Like I said, very parklike setting.

I don't know that I've ever made this statement before a Planning Commission or a City Council, but we've, in redeveloping the site, have actually increased the greenspace. That is kind of unheard of in the development world. So, the increase in greenspace is about a nine to ten-percent increase. So, pretty low-density redevelopment. We provide bike racks, the no-idling sign. I heard one of the Commissioners mentioned something about an EV charging station, we've actually agreed to put one of those in on the site. Trash and recycle bins, obviously. And Frank alluded to the environmental foam [for cups] that degrades 95 percent within four years. The other factor of that is the Swig Corporation promotes very heavily the tumbler, a Yeti tumbler that's logoed in their brand, obviously. They sell that, so they have an incentive to get those out in the market. But then they also incentivize the user by giving a drink discount. So, there's some good sustainability in there.

The Consolidated Fire District has approved our layout, our site. They recognize that the building is only 657 feet, so they don't need to get in on the site. There's existing fire plugs along Barkley and Martway. So, with that I think Scott Olson who is the project architect will talk a little bit more about the architecture and about the different site features, or building features, and then we're certainly here to answer any questions.

Scott Olson, architect, appeared before the Planning Commission and made the following comments:

Mr. Olson: Thanks again for having us on. I'll be real fast. This is the site, of course, Martway and Barkley. Ron had mentioned it's really more of a parklike setting is what we're looking for. The entry is up on the north side there on Barkley. There is parking across the north eight stalls and then this EV station. The drive-through is a clockwise rotation, and with the size of the site and the fact that the building is relatively small – 650 square feet – it does give you a lot of opportunities for landscaping as well as we have reduced the pavement of the hard surfaces of what's existing there now. interesting thing, I was by the gazebo last month, and it was just full of flowers and teaming and quite pretty. It just kind of feels kind of sad, but within a month it's gone, and I think the thought here

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is that this site almost acts like that garden setting almost year-round. I think we'd like to maintain that. In fact, even in the center there we're creating a little bit of a nod to the gazebo, so it's some seeding and some plantings there as well. The site itself has seven mature trees. A couple of them are in a little rough shape, and one is right where we're going to maybe have the building, but we are adding 18 more trees, so it's quite an addition to it, as well as the screening and the [inaudible] encircles the drive-through, and as Ron also mentioned, there's kind of an outdoor seating and tables and a walk-up window. It is primarily a drive-up but there is opportunity to come up from the sidewalk system, with bus stops and things like that where you can come up and just hang out there at the site. Is there a picture of the building in that package? I might show you [inaudible].

The building itself is primarily a brick surface. We use the precast stone as a trim. Awnings on most of the entries. Entry doors will be [inaudible] the glazing and just kind of a nice muted brown tone. Of course, the drive-up, just that center elevation with the end result. That's it. We'll open it up, I guess, if you have questions.

Ms. Kneller: I'm going to go ahead with the staff report first. This is Case #23-06, the Swig Soda Shop Preliminary Development Plan. The applicant is Super Star Holdings, LLC. They also submitted a Preliminary Plat that will be heard next in Case #23-09. The subject property is approximately 0.71 acres. It is currently a parking lot with a gazebo structure. The property is zoned C2-A "Pedestrian Oriented Business District." The property lies within the Form Based Code Overlay District as well, which supersedes the Municipal Code for development guidelines there. Surrounding the subject property are the following zones and uses: There's C2-B, C2-A, C2-A on the other side and CP-2 across the street, across Martway.

The applicant proposes a drive-through soda shop with vehicle parking, landscaping, internal pedestrian walkways and outdoor seating. Vehicular circulation is confined to the existing northernmost entrance as stated before. The southernmost curb cut will be eliminated. Cars will enter the site and circulate clockwise through double stacked lanes at the drive-through to the pick-up window, and the one-story, 650 square-foot building. Estimated daily vehicle count is approximately 347 cars with a peak during the 8 a.m. and 5 p.m. hours. There is also a pedestrian walk-up window for orders and pick-up with a bike rack located nearby and outdoor seating. Eight proposed parking spaces, including one ADA accommodation and an EV charging station are located on the north side of the lot, generally in the rear. Dumpster enclosure is located within the greenspace centrally and constructed of CMU which will be painted to match the primary structure. Greenspace will increase with the proposal from...I've got an updated number here in the new drainage that you have in hard copy in front of you, and we have 40 percent total greenspace, which is down slightly from 52 from the original submittal, but it still covers more than the 31 percent that's currently onsite. This includes access for the community to a small, centrally-located parklet with park benches and shade trees.

This proposal here, too, will develop a site that has been vacant for several years, utilized very seldomly. I mean, seasonally, for the garden as we just have recently. Staff believes that this project will bring some economic, environmental and cultural benefit to the community as a whole.

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The Mission Comprehensive Plan outlines the Form Based Code in this district for this property. That takes precedence over the Municipal Code, as I said before. So, we went through the review process, and step one is a required 45 points that staff did allot 45 points to that the project addresses frontage, parking and access appropriately according to the Form Based Code. Parking is discreet from Johnson Drive. Access is proposed on Barkley Street. The existing entrance is eliminated on the south side, which reduces the number of curb cuts, which increases pedestrian safety. The proposal conforms with access, regulations and receives an additional 15 points – 15, 15 and 15 for a total of 45 for all of those features. The proposed building is a one-story structure on a 0.71-acre lot and structures built on lots larger than 0.5 acres in block T should be mid-rise or at least two stories. Therefore, the building in this case is not conforming and does not receive the 10 points for the score. So that review process in step 2, we stopped the review there, and we know this is going to be a non-conforming situation permit for approval by Public Planning Commission and City Council. Overall, the project did receive 77.5 points of the total 100 of the 90 points that were required for the expedited process. The Municipal Code does relate to intent, permitted uses and development performance standards. So, we looked at the Municipal Code outside of the FBC for that section for the purpose and intent, C2-A is where a consumer enters the place of business to accomplish a purpose and transactions may be conducted without using a motor vehicle. No drive-in or drive-through operations are allowed except where they would be remote from pedestrian traffic.

For permitted uses here I'm going to lump all of this part of the Municipal Code for C2-A together here and explain it just really briefly. Restaurants are permitted; uses where the customer normally remains within the building while consuming food, and for development performance standards, the height, bulk and setback stipulated in the Municipal Code conflicts with the Form Based Code in this case, and the Form Based Code does take precedence, so we would look at the Form Based Code for development performance standards in that case. The proposal does not conform to the development standards as the customer does not enter the premises to conduct transactions or consume food. The drive-in operations are generally remote from pedestrian traffic around the site and a pedestrian walkway does cross the drive-through lane after the circulation passes the pick-up window, but this walkway is interior to the site and not a major pedestrian path around the site, and it leads to the parklet. It is not, like I said, it's not the main pathway.

Other considerations are the dumpster enclosure and landscaping. The dumpster enclosure does meet the Municipal Code and landscaping meets the Municipal Code in this case as well. The final development plan will detail the locations and species of each type of planting, so we have that as a condition here, too. As per the Johnson Drive Guidelines, a maximum of 25 percent of any one façade may be EIFS material from eight feet at grade and higher unless it's specifically reinforced, and in this case, the plan does designate that the EIFS is specifically reinforced with mesh. Building facades on corner lots, according to the Johnson Drive Design Guidelines shall address both streets at the intersection and the proposal does address the public realm on both sides of the intersection of Barkley and Martway with brick facades, awnings and windows and alterations in material selections as well as with landscaping that softens hard edges and

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expanses of walls. Roof-mounted mechanical equipment also shall be hidden from pedestrian view, which it is in this case. So that conforms. The proposal includes 11 percent of landscaping in the parking area, which the Code stipulates 6 percent, so that does conform and exceed. A bike rack is included on the south side of the building near the pedestrian walkway and entrance, and the Guidelines stipulate that highly reflective or tinted windows are prohibited, and in this case the plan does stipulate that the glazing will be transparent. Final material selections, however, will be provided with the Final Development Plan. Curb cuts meet the Code as well, and per our Code the deviations from the Municipal Code and the Johnson Drive Design Guidelines require approval of the Planning Commission and City Council, so that's for your consideration on here whether the deviations are acceptable.

For sustainability, the project team did meet with the Sustainability Commission on June 5th and provided a completed scorecard with a self-score of 80 out of 100 for the Gold level. The Scorecard Subcommittee will be reviewing that criteria and provide options for them to improve the score. I don't believe that has happened yet, but it should happen before the Final Development Plan comes to us. The Sustainability Commission was very favorable to this project, and the highlights included the decreased impervious area, increased landscaping with drought resistant plants, nearby transit opportunities, bike racks and extended sidewalk connections in place of an existing curb cut, along with "No idling" signs that will help improve the health and mobility options for visitors. The EV charging station provides alternative energy, and additionally a shade parklet central to the site will provide space for recreation and community gathering for pedestrians, bicycles and visitors traveling by vehicle as well.

LED lighting with Dark Sky Association standards will enhance the sustainable lighting, and those specifications will be provided in the Final Development Plan as well. Staff's analysis was that the elements that promote environmental, social and economic improvements on the site enhance the project and further Mission's sustainability goals. While the business will provide a primarily a vehicular operation, the enhanced pedestrian and bicycle amenities along with alternative energy on the site and minimal parking will encourage multi-modal visitors.

Staff's recommendations on this, there were 11 points there included in your staff report. If you have any questions about those, we can go over those as well, and that concludes the staff report for this project.

Chair Lee: Thank you, we will now open the public hearing and take any comments from anyone that is still here.

Comm. Cullinane: I have a question. I do like that there is enough drive through space on the property and there shouldn't be a concern for a line on Barkley St. building. I do like that closing of one of the entrances as well. I do have a question. Are all of your locations similar in style? I'm curious, like, do they all kind of have that park idea? Because I'm wondering like are the parking spaces enough? And then also if you're sitting there and you decide you want another drink is it like you can push a button and you can get something or do you have to get back in your car and drive through the drive through again?

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Mr. Newman: There were several questions there. Do you mind repeating the first question?

Comm. Cullinane: Yeah, so is this a similar style to your other locations where you kind of have this park and a central location for gathering?

Mr. Newman: They do in a few locations where they have enhanced landscaping and enhanced aspects like that.

Comm. Cullinane: And also since it can be a large gathering area, do you think there's enough parking planned for cars that are just coming to...Okay

Mr. Newman: Yeah, the maximum that they really need is probably six, so I think we put eight. So, I think that covers that covers what is required. I think the most employees that we ever have is six at the very most, at the very peak times.

Comm. Cullinane: Okay and then for bicyclists and pedestrians I guess for those that want to order, like how do they order?

Mr. Newman: So I'd probably have to get back to you on that one, because most of the stores I have don't have this extra stuff on, but they do have some in Utah, that we've kind of checked with them and they were good with the site plan [inaudible]. So, on that particular question, I'll have to get back to you on exactly how they do it. But I think they just operate the walk-up window in conjunction with their drive-through window and then just [inaudible] maybe have some outdoor seating as well.

Mr. Scott: I was going to add some additional thoughts, there is a walk-up window.

Comm. Cullinane: Okay.

Mr. Scott: So, in the initial design that they presented to staff it had the building kind of in the center of the lot and not much different than the way the old Backyard Burger was laid out. We just kind of said, "That's really ugly. Can we do something different?" so we worked with them, and we moved the building to Barkley, so it sits there by the street, next to the sidewalk and has a small patio and seating area, a walk-up window. So, there is that interaction with the pedestrian walking along the street. The bicyclist and person who wants to walk up just to order at the window and then sit down and enjoy the drink.

Comm. Cullinane: Okay. Cool.

Mr. Scott: I think it's really an ingenious design and I do compliment the engineers and architects for working with us to accomplish that.

Comm. Cullinane: Yeah, I think it's really...I'm really excited about the greenspace, too. I mean, we all said we loved having the garden center there in the summer, but it's nice that we'll have something there all year round.

Mr. Cowger: And that will be very specific to Mission.

Ms. Kneller: Ron, if you could just use the microphone.

Mr. Cowger: I'm sorry. So, the amount of landscaping and the outdoor seating, we've worked in, this is the fifth municipality that we've brought Swig to here in the Metro, fourth

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or fifth. And by far... We heard what your staff was saying and what your Code was saying about establishing that parklike feel. Make it pedestrian oriented. So, this is far more lush than the other communities that will be in the Metro.

Comm. Cullinane: Okay. And then my last question is, what if you are sitting outside and you need to use the restroom, what about restrooms? I didn't know if any of the restrooms inside would be public accessible, or not.

Mr. Cowger: So my understanding is they are not.

Comm. Cullinane: Okay.

Mr. Cowger: But I understand there are some bathrooms at the Water Works Park.

[laughter, cross-talk]

Comm. Smith: I have a question about the "No idling" sign. Does that mean every time you move forward you have to restart your car and turn it off and...?

Mr. Cowger: So, it's always about enforcement, right? Now how does that work...? You know, I don't believe that Swig is going to have a no-idling police person there. It's just a suggestion. Most of the new cars now have that feature, although most of them have a disabling switch. So, it's just a suggestion.

Comm. Smith: Do other locations have the sign as well?

Mr. Cowger: I don't believe that we added those at the other locations. So that's unique to Mission as well.

Ms. Kneller: We were concerned at first about... When we were first talking with them, it was a different design, and we worked with them to kind of reconfigure things, so that was one of our concerns was that idling cars were near pedestrians that would be walking on the sidewalk, and we suggested that they put signs up, like schools do sometimes. Like, no idling if you're just sit there, because there's a long line, shut your car off kind of mentality. I just think it's probably the practice. If there is a long line and you're kind of waiting for a long time and things are taking a while, to kind of shut things down. So, we kept those in place.

Mr. Newman: If I could make one comment. Swig, one of the amazing things about their company – and there's a lot of them – they are really good about moving the drive-through quickly. They've got people outside. They've got people moving the cars quickly, so any Swig I've been to, it's rare to see the line not moving quickly, so just thought I'd throw that in there.

Vice Chair Dukelow: I have a couple questions. I do like the no-idle sign. Just because [inaudible] think about it tomorrow and then they're somewhere else and you know, it never hurts to [inaudible] to suggest a certain [feature] like that. I've got a question on actually the trash enclosure, sheet A102 (?). I just want to confirm that that is a [inaudible] block and it's not painted to match the building?

Mr. Olson: It is [inaudible] and it would be the exact same color as the rear-facing [inaudible].

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Vice Chair Dukelow: Thank you. I think I saw somewhere else “painted to match,” so I just wanted to –

Ms. Kneller: Yes, I thought it was. Sorry.

Vice Chair Dukelow: I appreciate that. And then I have a question on, with that north elevation and also the [inaudible] plans. Excuse me, I’m sorry. Let’s look at the east elevation if you will, please. In the packet, in the PDF, it’s 50 and 75?

Ms. Kneller: Is it this one?

Vice Chair Dukelow: Yes. There are a couple of spandrel panels there, and I presume to mean that they are opaque glass panels?

Mr. Olson: It would resemble glass. The problem with the size of the building, all the equipment is against the walls on this small of a building, so there really aren’t too many more opportunities to bring translucent glass through, so the spandrels are just picking up kind of a pattern. So throughout the day it would look like windows, but it is acting as a spandrel. So, it’s solid behind it. At just those two locations, yeah.

Vice Chair Dukelow: But they’re glass, the finish on the outside of this is glass finish, or [inaudible]?

Mr. Olson: It’s glass finish.

Vice Chair Dukelow: So, they’re not translucent or clear? Okay.

Mr. Olson: Right.

Vice Chair Dukelow: And yeah, I understand why [inaudible]. I wanted to ask you, then, looking at the plan and if that is also the case on the west side, or if those two are [inaudible] translucent, transparent glass.

Mr. Olson: Those are translucent, yeah.

Vice Chair Dukelow: Okay. The only reason I ask [inaudible]. Okay, then I have [inaudible] we talked about pedestrian service window, which I understand to be on the south side and not yet completely resolved.

Mr. Olson: Yeah, if you could slide that up just a little bit. It would be the south elevation. Yeah, so that sliding window there along the south side would be walk-up.

Vice Chair Dukelow: Right. And that’s adjacent to that little courtyard –

Mr. Olson: Yes.

Vice Chair Dukelow: With the tables –

Mr. Olson: Yes, it’s right [inaudible].

Vice Chair Dukelow: And then I had one more question just there to the right on that same sheet, that looks like there’s some kind of a mesh screen or something there adjacent to the door.

Mr. Olson: Yes. And that is just showing like a panel type. Right now we actually don’t have that on the drawings. I think that was left over from on the rendering, but that was the idea that there was a little bit of a screen there in terms of that’s kind of a service door.

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Vice Chair Dukelow: Yeah, that's fair enough, and that's also adjacent to the path that goes across the drive-through so I don't know what's best there, but I did want to ask about that.

Mr. Olson: Yeah, we'll need to study that a little bit and see exactly what we would need there, because cars do pass that on that side.

Vice Chair Dukelow: Thank you. That's all I have, Mr. Chairman.

Chair Lee: Any other questions?

Comm. Cullinane: I guess the only Swig sign is on the building itself? There's no new signs?

Mr. Cowger: I believe we denoted a monument sign. I don't know that we're going to utilize that, but I think as a space holder because at this point, they didn't –

Ms. Kneller: They haven't submitted a sign package yet. They'll do that after, like during permitting process or before they start building.

Chair Lee: Any other questions or comments?

Motion by Vice Chair Cullinane, seconded by Comm. Snyder, to approve Case #23-06, Swig Soda Shop Preliminary Development Plan.

The vote was taken (6-0). The motion carried.

3. Case #23-09 – Swig Soda Shop Preliminary Plat

Chair Lee: Very good. Item 3, public hearing Case #23-09, the Swig Soda Shop Preliminary Plat. [inaudible] open the public hearing.

Mr. Cowger: I'll just introduce myself again, Ron Cowger, here for the applicant, here to answer any questions.

Chair Lee: Okay. [inaudible]

Ms. Kneller: Staff report? Sure. This is Case 23-09, the Preliminary Plat for Swig Soda Shop. So on this site, all necessary utilities are currently provided and accessible. A 15-foot stormwater easement runs north and south along the easternmost property line and forms a diagonal on the southeast corner to tie into existing inlets. A 10-foot sanitary sewer easement runs along the northern and western sides of the property, which connect to existing manholes. A 25-foot right-of-way easement measured from street center line on Barkley includes the existing concrete sidewalk on the east side of the street and continues around the southwest corner running east with a permanent construction easement and a 30-foot right-of-way from the street center line on Martway. The construction easement is a separately-recorded document that allows the City to construct and maintain the pedestrian path on the south side of the subject property.

Per Municipal Code, for properties located in C2-A, no front yard is required for buildings of one or two stories in height and are allowed pedestrian spaces and landscaping to complement the surrounding architecture. Rear and side yard setbacks are required if necessary for right-of-way, and it is staff's determination that the proposed plat conforms with the Municipal Code zoning requirements for setbacks. The Mission Comprehensive

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Plan indicates that this property lies within the Form Based Code, which is consistent with the setbacks allotted in this proposed plat for future development. It is staff's determination that the plat supports good land planning and allows for future redevelopment in compliance with adopted standards. It is staff's determination that the plat is consistent with good traffic engineering and safety standards, and all of the requirements of 440.220. Submission of preliminary plats have been satisfied with this submittal. Staff does recommend that the Planning Commission approve Case #23-09, Preliminary Plat for Swig, 5959 Barkley. That concludes my staff report.

Chair Lee: Thank you. At this time [inaudible] step up. [inaudible] this case [inaudible]. I'm not seeing anyone [inaudible].

Comm. Snyder: I'd just like to make a comment in regard to Ms. Tanner, breast cancer survivor. Save the Cups [inaudible]. I thought that was a really nice philanthropic endeavor by the company.

Ms. Kneller: That was in the narrative provided, right?

Comm. Snyder: Yes.

Ms. Kneller: Okay.

Chair Lee: Any other comments? [inaudible]

Motion by Comm. Cullinane, seconded by Vice Chair Dukelow, to approve Case #23-09, Swig Soda Shop Preliminary Plat.

The vote was taken (6-0). The motion carried.

IV. Old Business

V. Planning Commission Comments

Ms. Kneller: Robin's first.

Vice Chair Dukelow: I am?

Ms. Kneller: Yeah.

[applicants leaving, thank-you's]

Vice Chair Dukelow: So I made some notes, and I sent Karie some pictures.

Ms. Kneller: I hope that was the first one.

Vice Chair Dukelow: That's great. [inaudible]. So this is actually City Hall in Philadelphia, so this is your [inaudible] class in architecture for the day. And it's huge, and inside there is a big open space and there's this big like compass or something in the middle, and there's lots of people walking around. It's big. It's a big square, and they have this wonderful plaza on the other side with fountains. And I saw those fountains and I thought, "Oh, this is like what we have in Town Center when my children were little and they could actually play in the fountains, which they don't allow anymore. So, I started immediately looking for the, you know, to ask a mom. I said – I mean, it wasn't very busy because it was a little cool yet – but I asked a mom, I said, "Do they allow you to play in the fountains?" She said, "Oh yeah, it's busy and very [inaudible]." So

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eventually I found the sign of fountain rules. You can tell I'm still salty about the fact that you can't play in the fountains at the Town Center. [inaudible]

Mr. Scott: Big liability risk.

Vice Chair Dukelow: [inaudible] that it wasn't cleanly and [inaudible]

Mr. Scott: It's slip and fall and –

Comm. Cullinane: [inaudible]

Vice Chair Dukelow: Okay, and then this is –

Ms. Kneller: Do you want to click your own slides?

Vice Chair Dukelow: They have a lot of –

Ms. Kneller: Do you want to click your own slides?

Vice Chair Dukelow: Do I what?

Ms. Kneller: Do you want to click it?

Vice Chair Dukelow: Oh, sure. [inaudible] about this. We've seen more and more murals [inaudible], and I'm sure we will never become as vast as Philadelphia is, but while we were there, on one of my orientation tours they talked about the mural program. They go over everything so fast, but I actually looked it up and there's just a short couple of paragraphs here. "In 1984, the Anti-Graffiti Network hired an artist to reach out to graffiti writers and re-direct their talents into public art-making. In addressing the citywide problem of graffiti, mural arts collective art-making process became a powerful tool for generating dialogue, building relationships, empowering communities and sparking economic revitalization. That collaborative process still drives our work today. Art is the building block for community dialog and action and a catalyst for exploring creative solutions to society-wide challenges." There are just wonderful murals everywhere. "With a robust portfolio of 50 to 100 public art projects each year and ongoing for-profit programs in education, restorative justice, mental health and public art and civic engagement, mural arts work and the incredible results in outdoor galleries are an inseparable and [inaudible] part of the city's civic landscape." I mean, they're just everywhere and they're pretty cool, and this is the next project. [inaudible]

Comm. Snyder: Do you still see graffiti?

Vice Chair Dukelow: Yes, you do. In much...I would say it's more isolated. Like this area on the left is an area that's near the river and it's a really rundown industrial area.

Ms. Kneller: Are those broken windows up there?

Vice Chair Dukelow: Yes, and I understand the big concern initially about the murals getting, they all it tagged. And that has actually not at all been a problem. As a lot of graffiti artists, like they say, are re-channeling their energy. They're involved in this, and they take pride in it. So it's really been transformative. [inaudible].

Ms. Kneller: That's a party there.

[inaudible]

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Mr. Scott: That little food trailer is so quintessential Philadelphia. One on every street corner.

Vice Chair Dukelow: Yeah. So those were the murals. Now, this is like a site visit called Petty Island. It's in the Delaware River and the boundary between Philadelphia and Camden, going up into Pennsylvania it's in Camden, New Jersey, runs down the middle of the Delaware River. This is actually on the New Jersey side, but it is an island. You can see Karie there at the bottom of the left-hand view. She was on this one, too. But this property – which is, in fact, an island – was owned by Citgo and it was used for fuel storage by Citgo. The image on your right is a model that the tour guide used to explain to us what it had formerly been like. Portions of this had been leased to a shipping company, and there was also an asphalt manufacturing business on the site. So on the right the round things are fuel tanks or oil tanks, and then to your left, that big rectangle, which is really hard to see from here, I know, is a huge parking area, and the little red things that you can kind of see are big shipping containers. So they were literally using this to transport. The ramp on your left and the steel structure that you see, the ships would pull up there, and they would be service. They could be fueled. They could be loaded, so they're in the process now of cleaning up this site. There is a group, the New Jersey National Lands Trust, has been granted a conservation easement for the entire island with ownership to be transferred from Citgo to the National Lands Trust by 2022 – so hopefully it already happened - with the cleanup of the island's former petroleum operations is complete. Their hope is to use that structure that remains as a visitor center and an observation platform.

Ms. Kneller: That ramp, too, goes all the way down. It's a really long ramp that goes all the way down to the ground, and it's just kind of a... You can see it being a potential pedestrian walkway, like a roof, kind of outlook, sightseeing area or something.

Vice Chair Dukelow: Yeah, it goes all the way down along the side, and it's... I suspect they probably used it for loading. We didn't [inaudible] specifically. I didn't ask more specifically about the use of the ramp, but yeah, the structure is massive. So on the left is the top of the structure. It's steel and concrete. And then, on the right is the water's edge where there probably would have been docks coming out of there for some smaller vessels. The pump, and then there's a big place to tie off a big ship. So, yeah –

Ms. Kneller: Hopefully they keep some of those elements, some of those industrial elements and incorporate them in somehow.

Vice Chair Dukelow: Yeah. I think that's all I had.

Ms. Kneller: Okay. I'll be quick. This one is the obligatory Robin and Karie selfie.

Vice Chair Dukelow: Oh. [inaudible] better than the one we got in the back of the taxicab.

Ms. Kneller: This was when we first got there, and when we came out of the station there was actually a protest happening, a big parade for transgender rights that was happening right in front of us as we walked out. It was loud and very peaceful, but exuberant. It was like, "Welcome to Philadelphia" you know, so it was kind of fun.

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Vice Chair Dukelow: It's loud. It's a loud city, but it's very compact. The buildings are high and you know you've somebody [inaudible].

Ms. Kneller: It's echo-y. Yeah, so that was like, "Welcome to Philadelphia, Robin and Karie." And this was on one of the tours that I did. I think Robin took this tour, too, actually, the walking tour. But this is the oldest continuously lived-in street in Philadelphia, and it's right downtown. It's got that kind of street little alleyway that the buildings front onto. I think there's like eight homes there on that street. Eight or ten, something like that, on that little block. But it's always, since the founding, I think, of the city, or you know, way back, it's been continuously people have lived there in those homes. So that was pretty incredible. And you can just see how close together buildings are down here. But it feels like a space that people love. When you walk through, you see that the people care for this area and people just love being in that neighborhood.

This is another public space that was between some buildings. You can see this alleyway kind of opens up across the street. There's this visual toward the architecture on the other side of this older historic building with some Moorish architecture with red and white stripes and the archways there. But then this contrasted with this modern on either side, modern architecture on either side, which was just really interesting to me. And it was utilized by people. It was kind of a cool day. It was kind of a cool week when we were there, but people were kind of going in and out. There were a couple swings there with those yellow frames. Those are swings where people can kind of sit. There's a restaurant on one side, and I think office space or retail space on the other, and then we were all kind of matches the furnishings in that alleyway too. So it's kind of a public plaza alleyway. And that was just as I was walking around the city, saw that.

I didn't really have...I didn't want to take too much of your time, but one of the sessions that I attended was something that really stuck with me and that I've been thinking about, because it was about ADU's. The session was entitled, "ADU's Won't Save the World," and I was kind of like interested, because you know, we talk a lot about ADU's here, and are considering what we can do with ADU's and that, and I'm like, "Well, okay, let's see what they have to say."

Comm. Snyder: Sorry, but what are ADUs?

Ms. Kneller: Oh, sorry – accessory dwelling units. So, you may have a granny flat, and it's built in the back of a single-family home, and they can either have the mother-in-law...Sometimes they're called mother-in-law flats...live there, or they can rent them out. It can be, depending on regulations in a municipality, it could be a short-term rental, a long-term rental, it could be just family can live there or what-have-you. So, there's lot of different ways to look at how to do accessory dwelling unit ordinances and just depending on where you live. It's really, you know, a lot of people have been touting as kind of a really great way to provide affordable housing, and I think that there is opportunity there for that, and I think this session that I went to was more of a, "Hold your horses," rather than, "Hey, this is a terrible idea," type of thing. But it was more about you need to make sure that there is infrastructure in place. Like, make sure that these things are in place first. Or, how can you incentivize people to build, because it's hard to build on such a small space. It can be expensive. It can be regarding getting

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plumbing there, getting utilities there. And will it be rentable in the long run? And how do you like get it going in your city?

So it's just difficult is, I guess, what she was saying, not necessarily that ADU's are a bad idea at all. You know, takeaways from that were, you know, you have to have some of those things in place and really think about how people can...and how to incentivize it, I guess, at the same time. Because just because you put it into your code doesn't mean that it's necessarily going to be built. And that you also need to supplement with things like missing middle housing and multi-family housing, because it's not going to provide the amount of density that you need with the housing prices that we're in, and the affordability therefore because of supply and demand issues, you're not necessarily going to be able to provide all of the affordable housing that you need via ADUs. So, considering that in your repertoire, you know, put it in your pocket as something that you can pull out to use, but it's not the end-all/be-all panacea that some people have kind of touted it to be.

Comm. Cullinane: I see a few of those in Mission that are I think like backyard rentals.

Ms. Kneller: Yeah, and I don't...That's another subject [inaudible]. Yeah, so garages at this point, in our code, we don't allow for plumbing to go into garages. So sometimes people are kind of testing new things. Maybe not with all [inaudible].

Mr. Scott: Built a long time ago before we had [inaudible] building regulations.

Comm. Cullinane: I think a lot of people wanted one because it provides another place to go.

Mr. Scott: We had a few of those during COVID. We had a handful of submissions for individuals that wanted to build a small, I'll call it a workshop, if you will, with not necessarily plumbing but there's electric [inaudible].

Comm. Cullinane: I guess do we allow, I mean, does Mission allow ADUs?

Mr. Scott: You can have a small, I would say garage, in your backyard, a small workshop or a small gazebo.

Ms. Kneller: But, according to our code, like I said, plumbing isn't allowed per building code for that. So we need to update, if we're going to allow that, we need to just update and amend our code, things like that.

Mr. Scott: Yeah, plumbing is the trick for the ADU's. You have to get a separate water line and sewer line directly to the ADU, and that's very expensive. So that's a huge cost.

Vice Chair Dukelow: Well that was very quick [inaudible].

Ms. Kneller: That's it.

[inaudible comments]

Ms. Kneller: We did go to Big Charlie's bar.

[cross-talk]

Ms. Kneller: It was cool. It was a small little bar in a little neighborhood, and Robin and Amy and I and two other planners from the Kansas City area that I knew, we all kind of

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joined up there and had a few beers, and we met one of the Chiefs players, from the 90's, one of the tight ends, or I don't remember now, but he was actually there, weirdly, like he was there, hanging out. I think people do just kind of, when they come to Philadelphia, they'll stop by and say hi. So it was neat. And they had a bunch of paraphernalia, Chiefs paraphernalia, everywhere.

VI. Staff Updates

Chair Lee: Staff updates?

Mr. Scott: I do have a few updates, Mr. Chairman. We some things lined-up the next couple of months, we'll be meeting in July and then again in August. July, we have tentatively scheduled Phase 2 of a residence on Rock Creek, which is the old Mission Bowl. So, the developer is interested in purchasing the parking lot that is to the east of the apartment building that they're building right now, which is currently owned by the same group that owns the old Security Bank building. There is a lot on the south side of Martway that provide additional parking for that building. So, they're in negotiations right now to purchase that property and they're interested in doing Phase 2 of their apartment project, about another 100-plus units.

Comm. Snyder: They want to put another 100-plus units over there?

Mr. Scott: Yeah. So we're reviewing those plans right now, and we have that tentatively scheduled for July Planning Commission meeting. Then we also have a zoning amendment, and this is regarding businesses between vape shops, electronic retailers with smokeless cigarettes, basically vape shops and tobacco retailers. So this ordinance would place some business restrictions between those types of sellers. This was something that was introduced by the City Council. And then in August, we have tentatively scheduled a Special Use Permit for a mattress sale discount location, a wholesale mattress sale location. The Mattress] Discount Store on Barkley is going out of business, so the owner would like to transfer his business license to a storage area that he's been using for years next to the FedEx building. We said that's actually not compliant with the Zoning Code, so he would need to get a Special Use Permit to do that, so that's what that's about.

Ms. Kneller: For online only.

Mr. Scott: Yeah, it would be online purchases. It's basically wholesale. He's not selling out of a location with retail frontage but rather he's doing online sales. I think he's got a couple contracts with the VA or something.

Ms. Kneller: Yeah, and some other, like Salvation Army, actually.

Mr. Scott: Some pretty large users of.... And then, we've scheduled a Comp Plan public hearing. We've been working on fine-tuning the [inaudible] plan, compiling all of the recommendations from the two workshops we had earlier in the spring, kind of aligning with the City Council goals. Probably take a lot of information and present it in a way that's understandable, [inaudible]

Comm. Snyder: Did I miss something? Did we finalize the...Are you talking about the Comprehensive Plan?

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Mr. Scott: Right.

Comm. Snyder: Last one I was at I thought we were going to come back and review most of the suggestions or recommendations that we had before we went to the public hearing or to the City Council.

Mr. Scott: No, I think we kind of walked away with a general understanding of what everybody wanted. We're sort of finalizing all of that now, and the [inaudible] plan. We presented that, too, at the public hearing.

Comm. Cullinane: I thought the same.

Comm. Smith: I did, too.

Comm. Snyder: I'm sure that we said that, and I was looking for that.

Mr. Scott: Okay, well [inaudible]

Chair Lee: I don't recall that we were going to have another meeting.

Comm. Snyder: That's what I understood, and that's what the consultant suggested was going to happen as well.

Comm. Cullinane: No, we did not [inaudible] –

Comm. Snyder: Because we had some open...there were some things that I wanted to make sure that was in place. And [inaudible], you did as well. [inaudible]

Mr. Scott: I'll circle back with the Mayor and City Administrator and discuss possible having another meeting.

Comm. Cullinane: I was going to say, are you going to like give an opportunity to send the plan via email for email feedback? I guess I wanted to review the plan before going to public. We had a lot of feedback in the last meeting being thrown out.

Comm. Smith: I thought it was supposed to happen in July.

Ms. Kneller: [inaudible]

Mr. Scott: [inaudible] in July. Like I said, we're just kind of...we've had a full plate this summer with projects, and I've been doing, frankly, double duty with some other things with the City, so I just really didn't have time to focus in on it. But that's why we're kind of pushing it until August.

Ms. Kneller: We had slated it for July. You're correct, for the public hearing, but we had to move it back because of just –

Comm. Smith: I thought we were going to have a third meeting –

Comm. Snyder: For review [inaudible]

Comm. Smith: Yeah.

Mr. Scott: Yeah, let me discuss it with the City Administrator and [inaudible] and see if that's an option. And then, just a couple kind of business-related items. Big Biscuit, we issued a building permit for them recently so they're going to start construction soon.

Chair Lee: They started already.

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Mr. Scott: They are started?

Ms. Kneller: Yeah, a fence up around it. Have they started, started?

[inaudible]

Mr. Scott: I haven't been by in the few days. I was out of town. And [inaudible] a little bit to the easement there, we've been in discussion with Popeyes. They have decided that the building is kind of beyond renovation as is, so they're interested in demolishing the building and building something new on that site. So, what something new is going to look like we're still not really quite sure yet, but kind of in the design stages with them right now and their architects about how that building would be situated on the site and some of the amenities with that and so forth. So they have not submitted anything formal to us yet –

Ms. Kneller: They did.

Mr. Scott: They have?

Ms. Kneller: Yeah. Well, and they're very interested in the Form Based Code and getting that to at least 90 points, because they want to get started as soon as possible, so they want the expedited process that the Planning Commission just approves and that it wouldn't go, therefore, to City Council if it's at that 90 points. You would just vote for approval at that point. So, we'll see what we can get them to by the time we –

Mr. Scott: I think that will be in September, then.

Ms. Kneller: It's scheduled for August.

Mr. Scott: August? Okay.

Comm. Cullinane: I saw that that the employees were working at different locations and they were trying to get them back open this fall.

Ms. Kneller: Yeah, I think they were on a very tight timeline, and we said the only way that you're going to meet that timeline is if you meet our Form Based Code. So, we'll see how far they can get. We haven't been able to fully review it yet, but we'll see what we can do to work with them.

Mr. Scott: And we reviewing plans for Mission Vale Townhomes, so we're close to issuing a permit on that, too.

[Unidentified Speaker]: That's the –

Mr. Scott: That's the old -

Ms. Kneller: But they did actually just recently, so the permit went out last week at the end of the week.

Mr. Scott: Okay, we did issue a permit?

Ms. Kneller: Yep. Oh. No, sorry. We're still waiting on their subcontractors. Sorry. I'm wrong. Yeah, subcontractors, we're still waiting on. I thought we had submitted it and we hadn't.

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Mr. Scott: And finally, I'm very proud to announce that Karie has passed her AICP certification. [Inaudible] American Institute of Certified Planners.

Ms. Kneller: I'm legit [laughs].

[congratulatory comments]

Ms. Kneller: Thank you.

Mr. Scott: That's all I had, Mr. Chairman.

Ms. Steffens: Don't you have one more? [inaudible]

Ms. Kneller: Devon?

Ms. Steffens: Yeah.

Mr. Scott: I didn't know about that one.

Ms. Kneller: No, that he started.

Ms. Steffens: Yeah, that he started. [inaudible] email.

Ms. Kneller: Oh, okay.

Mr. Scott: Yeah, our building inspector started. Yeah, that's right. Poor guy's been here a month and it seems like a year. Yeah, Devon Bryant is our new Building Inspector, and he started with us about a month ago, probably about five weeks ago now. He comes from Unified Government of Wyandotte County in Kansas City, Kansas. He was a building inspector there for about five years, and prior to that he worked at a public works department. So, he's been following Jim around, kind of getting him trained and getting the lay of the land. I think Jim probably cut him loose in the last couple of weeks and got him kind of doing his own building inspections now. So Jim is still here. Jim is trying to...poor guy is overworked, completely overworked. All those projects that you saw last summer are now going through the construction process, so they're submitting plans, big rolls of plans, that are being reviewed by Jim to make sure of conformance with the Code and then issuing building permits, and of course you have to have an inspector inspecting the buildings as they're constructed. So it's really just too much for Jim to handle between Rushton Elementary, the Nelson plant –

Mr. Scott: Yeah. The Mission Bowl, Residence at Rock Creek and some of these other projects that are coming through the pipeline.

Ms. Steffens: The Other Place.

Mr. Scott: The Other Place.

Ms. Steffens: I'm keeping him really busy. He really hates seeing me come to his door with plans, but you know...

Mr. Scott: So what we did is I made a request to the City Council the last budget process for a building inspector to help Jim. Then we've recently hired a third-party inspection consulting firm. It's a firm that we used with the Gateway project when that was kind of in full steam, and they have consulting engineers to do planning review, and they actually have building inspectors on staff. We've hired them to kind of augment the inspection process for Rushton Elementary and Residence of Rock Creek just so that. It's at that

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point now, Jim did 300 inspections for Residence of Rock Creek in two months. He was going up there every day looking at every [inaudible] that was being poured. He was telling me that there's a five-story building. It's mostly wood construction on the second to the fifth floor, and all that wood construction has to tie together and there's elements that go through each floor, steel bands that actually tie it all together and have to be tied with a [inaudible] that has to be designed by an engineer and there's all kinds of calculations that go with that and Jim's reviewing all of that. He's actually going onsite making sure it's all inspected right. It's way over my head. I don't quite understand it all, but thank god he's here and he does understand it. But we just, we need help to help him. So that's what's going on. I think that's it.

Vice Chair Dukelow: [inaudible]

Mr. Scott: Yes. So Celia Duran is our Public Works Director. She's been with us for just a little over four years, and I'm sad to say she has submitted her resignation to accept a position as Public Works Director at Merriam. Her last day is not this week, but next week. [inaudible] We have to hire a Public Works Director and [inaudible] in process, but we'll soon be begin that.

Vice Chair Dukelow: [Inaudible]

Mr. Scott: Yeah, there will be a lot of projects there as well, so that's another important position to be filled.

VII. ADJOURNMENT

Comm. Snyder moved and Commissioner Schmid seconded, a motion to adjourn.

The meeting adjourned at 9:15 P.M.

Mike Lee, Chair

ATTEST:

Kimberly Steffens, Secretary