

**CITY OF MISSION PLANNING COMMISSION**

August 28, 2023

7:00 PM

Mission City Hall - 6090 Woodson

**Members Present:**

Stuart Braden  
Megan Cullinane  
Brian Schmid  
Amy Richards  
Robin Dukelow  
Mike Lee  
Cynthia Smith

**Staff Present:**

Brian Scott - Deputy City Manager  
Kimberly Steffens - Permit Technician

**Members Absent:**

Wayne Snyder  
Charlie Troppito

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

**I. CALL TO ORDER**

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

Ms. Steffens, will you call the roll?

**MS. STEFFENS:** Braden.

**MR. BRADEN:** Aye. Here.

**MS. STEFFENS:** Dukelow.

**MR. DUKELOW:** Present.

**MS. STEFFENS:** Richards.

**MS. RICHARDS:** Aye. Here.

**MS. STEFFENS:** Troppito is --

**MS. STEFFENS:** Schmid.

**MR. SCHMID:** Here.

**MS. STEFFENS:** Cullinane.

**MS. CULLINANE:** Here.

**MS. STEFFENS:** Lee.

**CHAIRMAN LEE:** Here.

**MS. STEFFENS:** Snyder absent. And Smith.

**MS. SMITH:** Here.

## **II. APPROVAL OF MINUTES FROM JULY 24, 2023**

**CHAIRMAN LEE:** The first item is the approval of minutes from the July 24th, 2023, meeting. Is there anyone who would like to make any changes to the minutes?

**MS. CULLINANE:** I already submitted my changes to Karie and Brian.

**MR. SCOTT:** Received.

**MS. DUKELOW:** Mr. Chairman, if there are no further comments on the minutes, I'll move that we approve the minutes of July 24, 2023.

**MR. BRADEN:** Second.

**CHAIRMAN LEE:** Please call the roll.

**MS. STEFFENS:** Stuart, were your second? I'm sorry.

**MR. BRADEN:** Yes.

**MR. SCOTT:** Yes.

**MS. STEFFENS:** Thank you. You have such a soft voice. Richards.

**MS. RICHARDS:** Aye.

**MS. STEFFENS:** Schmid.

**MR. SCHMID:** Aye.

**MS. STEFFENS:** Lee.

**CHAIRMAN LEE:** Aye.

**MS. STEFFENS:** Smith.

**MS. SMITH:** I abstain.

**MS. STEFFENS:** Braden.

**MR. BRADEN:** Aye.

**MS. STEFFENS:** Dukelow.

**MR. DUKELOW:** Aye.

**MS. STEFFENS:** Motion passes.

**MS. CULLINANE:** I am also an aye.

**MS. STEFFENS:** Oh, I'm sorry.

**MS. CULLINANE:** That's okay.

**MS. STEFFENS:** Thank you, Cullinane.

**Motion 1:** **Robin Dukelow - Ward IV/Stuart Braden - Ward I:** Approve the July 24, 2023, Planning Commission minutes. **The motion carried 7-0-1 with Cynthia Smith- Ward II abstaining.**

### **III. NEW BUSINESS**

#### **1. Public Hearing: Case #23-17 - Discount Sales Outlet Special Use Permit**

**CHAIRMAN LEE:** Okay. We have three new items under New Business. The first is a Public Hearing in Case #23-17 for Discount Sales Outlet, a Special Use Permit. At this time we would go into a public hearing. Mr. Scott, [inaudible].

**MR. SCOTT:** Okay. Thank you, Mr. Chair. This is Case #23-17. It's an application for a Special Use Permit for Discount Sales, the operation of a mattress wholesale location at 5470 Martway Street. The applicant has actually been operating out of this location for several years. This is part of a larger operation that he ran on Broadmoor, a retail location on Broadmoor, and this is more of a storage site and a wholesale site that he has had for special contracts. He is closing his Broadmoor location and needs a business license to operate at this location, which triggered the Special Use Permit. So, that's why we're here tonight.

He's actually operating the wholesale of sales out of the basement of this location. So, if you're familiar with this location, this is where the FedEx store is located, kind of at the corner of Johnson Drive and Nall and Martway. That building was built in 1955. And there's actually a full-sized basement inside, or at that building. So, he's occupying a portion of that basement.

Our Building Official Jim Brown and the Fire Marshall of CFD #2 did an inspection of the location when the initial application was made, and noted a few corrections that needed to be made to be compliant with the fire codes. Those corrections were made, and we were notified by the Building Official that it's fully compliant now.

This is congruent with the Comprehensive Land Use Plan and the -- it's not necessarily a permitted use in the MS-2 zoning. Under a Special Use Permit, it would be allowed as a use.

Staff is recommending that the Special Use Permit is contingent upon the property remaining as-is regarding site design and building structure. And should the site be redeveloped in the future, the Special Use Permit may be re-evaluated. The Special Use Permit shall become void if the facility is vacant for six months or more. The Special Use Permit shall become void if it's determined to be in violation of any of the five conditions in §445.210 of the Municipal Code, which is pertaining to Special Use Permits. And then finally, staff recommends the initial period should be a 10-year term limit on the Special Use Permit.

So, I don't really have anything else in my report. Mr. Lynch, the applicant, is here tonight. Leland, did you have anything to add or --

**MR. LYNCH:** I'm sorry?

**MR. SCOTT:** Did you have anything to add?

**MR. LYNCH:** No.

**MR. SCOTT:** Okay. He's available. We're available for questions.

**CHAIRMAN LEE:** One question I had, are we limited by ordinance to ten years? Assuming a development project is going to be in that area, we could be facing a different situation in five years.

**MR. SCOTT:** Yeah. If you'd like to recommend a five-year period, and then come back and look at it again for another five years, I suppose we could do that. Would that be okay? [Mr. Scott looked to Mr. Lynch who nodded in the affirmative'] Yeah. You can amend that.

**CHAIRMAN LEE:** Questions?

**MS. CULLINANE:** I have a comment that I think -- I read some of the letters of support in the packet about what you have done. I think it's really cool that you're providing these for those in need.

**MR. LYNCH:** Thank you.

**MR. SCHMID:** I have a question. What about the property do you suppose causes it to not be like not being that it is the correct zoning and needing a special use permit.

**MS. STEFFENS:** You have to turn your mic up.

(Inaudible; talking over one another)

**MR. LYNCH:** I didn't hear that.

**MR. SCHMID:** What -- sorry. Yeah. What about the property? So, it's not meeting the right code or zoning to be in. What warrants the special use, I guess, is what I'm trying to get at. Yeah.

**MR. SCOTT:** So, the MS-2 is really intended for retail sales where there's a storefront and individuals walking into a store to make a purchase or a restaurant for dining. So,

it's not really intended for just a space for basically wholesale sales. That would probably be more like an industrial type zoning, something like that.

**MR. SCHMID:** [Inaudible; talking off mic]

**MR. SCOTT:** Yeah. Right. So, this is more -- I would call this kind of a back office operation as opposed to a traditional retail that you find maybe in the Mission Shopping Mart or some of the other zoning along Johnson Drive, that type of thing.

**MR. SCHMID:** A quick follow-up question.

**CHAIRMAN LEE:** Sure.

**MR. SCHMID:** If the primary use, it sounds like looking to ship essentially --

**MR. LYNCH:** Storage.

**MR. SCHMID:** Storage and shipment.

**MR. LYNCH:** Yeah. Well, pick up.

**MR. SCHMID:** Pick up.

**MR. LYNCH:** Nobody will pick up anything. We deliver everything out of there.

**MR. SCHMID:** What are the -- what's the -- like what vehicles, I guess, are used? Like how large are the delivery trucks?

**MR. LYNCH:** Just a small box truck.

**MR. SCHMID:** Okay. Okay.

**MR. LYNCH:** And a pickup we use occasionally.

**MS. SMITH:** Are you anticipating your volume increasing?

**MR. LYNCH:** It wouldn't matter for space.

**MR. SCOTT:** Leland, why don't you stand at the mic and speaking into that so that we get your voice on the recording.

**MR. LYNCH:** Yeah. The volume, which I've been handling the VA for over ten years, and it has grown. But with the space that I have, we can -- we can fill it. We're good at packing. So, it has a retail store. I would carry 30 to 35 different mattresses. Can have them in different sizes. For the VA there's one choice. They don't have the choice of mattress. So, we're just going to stock one item that's designated just for that. And five years would be fine. I'll be 70 by that time and then I might retire, so.

**MS. SMITH:** And how long have you been operating out of this spot?

**MR. LYNCH:** I have leased that property since 1997. And at that time, I didn't need any permit, they figured we're just going to store things there. And then they think,

yeah, apparently been in a bubble for a few years because with the change of licensing is now I need the permit.

**CHAIRMAN LEE:** Any other questions?

**MR. BRADEN:** Mr. Chair, if there's no further questions, I move to approve Case #23-17; a Special Use Permit for Discount Sales Outlet at 5470 Martway Street.

**CHAIRMAN LEE:** And is that for five years or the ten that staff had suggested?

**MR. CULLINANE:** I think he was just clarifying that he made a suggestion for the five years, if we wanted to actually make that, and then someone needs to call that out as an amendment.

**MS. RICHARDS:** I think I would add the amendment that we review it in five years. Ten years seems like a long time considering our master comp plan.

**MR. SCOTT:** Yeah.

**MS. RICHARDS:** That is my recommendation.

**MR. SCOTT:** So, you can just incorporate that into your original motion.

**MS. DUKELOW:** So, if we have a motion, I'll second.

**MS. STEFFENS:** Okay. Stuart first and then --

**MR. SCOTT:** So, your motion is to approve with five years instead of ten years. A Special Use Permit runs with the land. So, if he decides to retire in two years and he sells his business to somebody else, that Special Use Permit would run with the new owner of the business for three years until the five-year clock hits, then they have to come back and renew. So, it doesn't necessarily run with his business, but it runs with the land.

(Comments made away from the microphones)

**MR. SCOTT:** You can make the motion with the amendments. You don't have to vote on the amendment separately if the clarification of five years instead of ten years is in your motion.

**MR. BRADEN:** I move to approve a Special Use Permit with the amendment to limit the Special Use Permit to five years instead of ten years as recommended in the staff report.

**MS. DUKELOW:** Second.

**CHAIRMAN LEE:** Call the roll, please.

**MS. STEFFENS:** Smith.

**MS. SMITH:** Aye.

**MS. STEFFENS:** Lee.

**CHAIRMAN LEE:** Aye.

**MS. STEFFENS:** Schmid.

**MR. SCHMID:** Aye.

**MS. STEFFENS:** Richards.

**MS. RICHARDS:** Aye.

**MS. STEFFENS:** Braden.

**MR. BRADEN:** Aye.

**MS. STEFFENS:** Cullinane.

**MS. CULLINANE:** Aye.

**MS. STEFFENS:** Dukelow.

**MS. DUKELOW:** Aye.

**MS. STEFFENS:** Motion passes.

**CHAIRMAN LEE:** Thank you.

**MR. LYNCH:** Thank you.

**Motion 2:** Stuart Braden - Ward I/Robin Dukelow - Ward IV: Case #23-17  
- Discount Sales Outlet Special Use Permit to be reviewed after  
five years. The motion carried 7-0-0.

**2. *Public Hearing: Case #23-16 - Popeyes Redevelopment, Preliminary Development Plan***

**CHAIRMAN LEE:** Item Number 2 is the public hearing in Case #23-16, a public hearing for Popeyes Redevelopment.

**MR. SCOTT:** Thank you, Mr. Chair. This is a Preliminary Development Plan for a Popeyes Louisiana Kitchen, located at 6821 Johnson Drive. This is, for those of you who are not familiar with the location, this would be the southeast corner of Johnson Drive and Broadmoor, and there's already a Popeyes restaurant there. That Popeyes restaurant experienced a fire at the beginning of the year with some substantial damage to the building. So, the ownership group has opted to basically demolish the existing building and build a new, more contemporary Popeyes restaurant that's kind of fitting with their corporate image as a restaurant chain. So, that's what's driving this application.

This is located in a zoning district, C2-B, but it's also in the Form Based Code Overlay District. So, to that extent, we try to apply the Form Based Code to the project. The

Form Based Code does allow for a one-story building located on a half-acre site or smaller. This particular site is exactly a half-acre. It'll be a little bit less with the dedication of right-of-way along Johnson Drive, which will be in the plat, which is the next agenda item.

With the Form Based Code, there's a requirement that the building front Johnson Drive and kind of sit on the corner of Johnson Drive and Broadmoor. And as you can see from the site plan, the applicant is proposing to essentially build the restaurant in the location where the current restaurant is currently at right now, which would be on the east side of the lot. And the reason for that is the layout of the restaurant itself. And I think that's included in here. So, north would be to your right, and then west would be to the top of the screen. And what's on the right side of the screen is essentially the dining area. And then kind of in the middle of the screen where my cursor is at would be the counter where the orders are taken for walk-in orders, and then the drive-thru window would be on the bottom side of the screen. And the way that configuration lays out is the most optimal design for the fast food operations of the restaurant.

So, they actually met with corporate and came up with different layouts to try to achieve the goal of the Form Based Code, but it just wouldn't work with having the drive-thru, essentially having your restaurant facing Broadmoor, but then having the drive-thru at the back of the restaurant, the way the layout works.

So with that said, they do not necessarily meet all the criteria of the Form Based Code, but this application has gone to great extents to try to meet as many of the criteria of the Form Based Code as possible with the landscaping and the design of the building.

So, let me go through this a little bit further. This is an elevation of the building. The building is 26 feet tall. Even though it's a one-story building, it's 26 feet tall, which is compliant with the Form Based Code. That is what's required for buildings in the Form Based Code, even one-story buildings. There is a six-foot wall that goes around the parking lot area with indentations, or we call them windows for lack of a better term, into the parking area to allow some daylight into that area. And then kind of four-foot offsets along the wall. There's also planter boxes and then some built-in benches that go around the wall on both sides of Johnson Drive and Broadmoor.

And then the applicant, and I'll go back to the site plan here, the applicant is also proposing to bring the wall in a little bit and then to have some outdoor seating areas, some tables with umbrellas to allow for outdoor seating along Johnson Drive and some interaction with the sidewalk and the drive itself.

They've met the landscaping requirements with the number of trees. And then the landscaping, the planter boxes along the street as well as the green space between the sidewalk and the curb on both Broadmoor and Johnson Drive.

They are proposing a dual queuing and ordering line. So, this will help to reduce some of the queuing issues that existed with the previous Popeyes Restaurant where sometimes at peak hours, the queue would spill out into Broadmoor a little bit.

Going back to the elevation. They are posing primarily brick that's painted white. There will be some sections within the building itself that have a darker brown brick, and then the minimal amount of EIFS primarily on the back and the north side. This would be the south side or the back side of the building where a small portion of EIFS is located as



well as the east side of the building, the drive-thru area, a small portion of EIFS located at the top. The front windows are transparent on the ground floor and then a spandrel, if I'm pronouncing that correctly, windows on the -- above kind of the second floor, if you will. And that concludes my report.

The conditions for approval are in your packet. There are 11 conditions total. Most of this is kind of the boilerplate language that we have in our conditions, so. I know the applicant is here tonight if they have anything to add, you know, open it up for questions.

**CHAIRMAN LEE:** Thank you, Brian. Does the applicant have anything to add?

**MS. WARMAN:** Thank you so much. My name is Kathleen Warman. I'm with Warman Architects. And this is Judd Claussen, our civil engineer with Phelps Engineering. Thank you so much for the time this evening. We've worked hard with staff, and they've done a great job of kind of guiding us through the complexities of Form Based Code and everything that goes with that. We appreciate the recommendation for approval and agree with the conditions. But I'm here to answer any questions that you have or anything that we can provide background on.

**CHAIRMAN LEE:** Any specific questions?

**MS. CULLINANE:** I've got a few. So, does the footprint size of the actual building, like is it an increase or a decrease or will you be able to keep like the same building size?

**MS. WARMAN:** It's close. And to be honest, I don't recall the exact number. Judd may have that, but --

**MR. SCOTT:** I think I may have actually --

**MR. CLAUSSEN:** I do. It actually went down slightly.

**MR. SCOTT:** Yeah, I was going to say decreased.

**MR. CLAUSSEN:** It's a little bit more efficient, but the thing is, as you might expect, the previous building was 2,719 square feet, and that's based off of the Johnson County tax rolls because that's the best information we have. The new building is 2,354 square feet. And, you know, we had asked for a traffic -- staff had asked for traffic trip generation comparison, and I think we had some negative decrease in traffic, but obviously, I mean we conservatively say, well, the same number of customers that go through the drive-thru lane.

**MS. CULLINANE:** And the reason I asked is just because just putting up that wall, I think I was thinking about like how much room you would be in the parking area, like if that would increase, decrease, you know with the building size with the wall and everything. Because does the parking, the number of parking stalls increase or decrease?

**MR. CLAUSSEN:** They actually pretty significantly decreased.

**MS. CULLINANE:** Okay.

**MR. CLAUSSEN:** And you can tell that by looking -- there is an aerial image. It's Plan Sheet C-2 in your plans. We kind of like to do that just to kind of show what the old site looks like on an aerial, and then kind of what the new site looks super-imposed on it. You can see existing cars parked there. And then at the north is the thing where there's cars that are parked that it's not going to be there, but instead patio space and stuff for the public and improve that front sidewalk. They're also dealing with cars up against -- they're on more closer to Broadmoor and we kind of pushed that back to create some green space and such in there. And then finally at the south end of the site where the driveway is, there's not like anything there, so we will cut the spaces there while increasing the green space and the islands.

**MS. CULLINANE:** I was going to say so your green space probably increased then.

**MR. CLAUSSEN:** It did. When we did the raw calculations, the pre- and post-impervious percentages, it actually decreased the amount of impervious on this property, so it's [inaudible] friendly from that standpoint.

**MR. SCOTT:** So, the previous lot was 21 parking spaces, and what's proposed is 16.

**MS. CULLINANE:** I do appreciate the dual line though. I know I've driven past it several times before when it was backed up on Broadmoor, so I think that the dual line, you know, I was a little worried at first closing off that entrance. I didn't really see a lot of cars in the past like piling up there, and I think everyone just kind of knew the line starts on Broadmoor, so I didn't see a lot of cars going through the parking lot. So, I'm not as concerned with closing off that.

**MS. WARMAN:** And that's something new for Popeyes. The dual drive-thru in some of the other locations that we're working with them on has become just such a standard because it really -- it really speeds up the queue.

**MR. CLAUSSEN:** You can offer to show when you look at that aerial drawing, that's a double drive-thru. It not only has twice the speed as far as taking orders, but it also provides room for about three more cars as compared to the old store. So, you got three more cars stacked and you have the ability to take orders faster, so it should really help the situation.

**MS. CULLINANE:** And I was thinking a little better too with the trash bins being more where they will be versus where they were before.

**MS. SMITH:** I have a question. Where are the decorative shutters going?

**MS. WARMAN:** You want to go back to the elevations or that rendering, I think, in like the -- actually, they're behind the trees in this rendering. They have kind of an abstract, like three sort of abstract shutters that are relief. They actually sit on the outside of the lighter colored backdrop. And let's see [inaudible]. I think they -- let's look at the -- let's look at the east side real quick. I think they -- I'm trying to think, but they had us remove them because they're not going to be seen, that the trees would be. Normally, they go on a back section. And this façade that you're seeing right here, you're never going to see it. It's behind Natural Grocers, so. And that was kind of something that we worked with staff on. I know that we, you know, worked and worked and worked on the drive-thru and the stacking and the location of the drive-thru, but this actually worked out really well because the stacking is absolutely -- it's just -- it's just going to lay between

the two buildings and be very, very, you know, discreet and not really seen. Some of the other things that [inaudible] on the building, the shutters were [inaudible]. I think they kind of realized that there's going to [inaudible] like it might be on [inaudible].

**MS. SMITH:** So there's no shutters on this?

**MS. WARMAN:** I don't think any proposed right now. I think we've had some discussions with staff about whether or not those are considered spandrel. So, some of that [inaudible] of what might count against other things for signage. Again, they're kind of abstract. I know if you consider an abstract figure a sign. But, you know, those would be [inaudible] will have with staff.

**MS. DUKELOW:** Mr. Chairman, I have a couple of questions. So, I want to note the ladder to the roof. I appreciate that the roof access is, in fact, on the east side. It is out of sight, so that's great. I do have a question about the wood deck that's shown on the southeast corner of the site plan. It indicates that that's existing. And I'm just really curious about --

**MS. WARMAN:** It was their deck. I don't know exactly what it's there for. I mean we're not married to keeping it. It's just there.

**MS. CLAUSSEN:** It's just there. We just show it to remain.

**MS. WARMAN:** I mean --

**MS. DUKELOW:** Okay.

**MS. WARMAN:** It's not part of our plan. It's there now, so.

**MS. DUKELOW:** Well, it is on the site.

**MS. WARMAN:** Yeah.

**MR. CLAUSSEN:** Yeah.

**MS. DUKELOW:** And I guess that's something that I would want to ask staff to evaluate as we move forward.

**MR. WARMAN:** I have no idea what that -- why that's there or what it was built for or who uses it or anything.

**MS. DUKELOW:** And then I wanted to ask about the mesh gate that is on that back, little back area.

**MS. WARMAN:** Yes.

**MS. DUKELOW:** Would that be provided with a closure and latch?

**MS. WARMAN:** Oh, yes. It's a secured area. They screen within that area some of the equipment that is -- the CO2 canisters and things like that that need to be secured, but they don't want to be visible. So, it would be locked.

**MS. DUKELOW:** Yeah. I can imagine what that might look like there. In fact, after a few years [inaudible].

**MS. WARMAN:** Oh, absolutely. We wanted to screen that.

**MS. DUKELOW:** Okay. Then the only other comment I had is that it looks -- the outside looks very friendly and inviting, and I appreciate how you've worked with staff --

**MS. WARMAN:** Thank you.

**MS. DUKELOW:** -- to embellish the streetscape in that location.

**MR. SCOTT:** I think we kind of assumed that the wood deck would be removed. If you look at the site plan here, it's green on the right. So, I think -- we never really asked about that, but we kind of assumed it would be removed as part of the deconstruction process, so.

**MS. DUKELOW:** [Inaudible; talking off mic]

**MR. SCOTT:** Uh-huh. Yeah.

**MR. CLAUSSEN:** That's something we can certainly sort out [inaudible].

**MR. SCOTT:** Yeah.

**MR. CLAUSSEN:** Like I said, we don't even know what it's used for at this point, so we just showed it to remain.

**CHAIRMAN LEE:** Any other questions?

**MS. SMITH:** I have a couple of questions about the elevations. On the west elevation is the -- where it says, "Love that Chicken," is that considered signage as well, or is that considered part of the building?

**MS. WARMAN:** We're going to need to work through that with staff. I mean the way that west elevation is kind of massed with the materials and things like that, it's meant to be a backdrop for that "Love that Chicken," you know, individual channel letters. Obviously, those are words. So, whether or not that's a sign or not, it doesn't say Popeyes. And whether or not that's considered a sign, I'll have to work with staff. But we wanted to -- we wanted to show, and again, the blade sign, for example, that's not prototypical.

The building, I know that's mentioned in the report that what the Popeyes franchisee tried to do here is build something that is more in keeping with their prototype. And while a number of the materials and colors are, in fact, more in keeping with their prototype, this particular building does not resemble their current prototype. So, it's very unique to this location. But some of the -- we wanted to show the intent on some of this signage. And as an architect there is nothing more disturbing to me than when signage isn't considered in the building design, and it gets just slapped on after the fact. It's not proportioned. It's not located properly. Obviously, the sign ordinance is important, and we'll have to determine what will be allowed because the size is what, you know. That is what is intended to be on that façade. We'll work through that.

**MS. SMITH:** So, if it isn't on that façade, will that mess up the look?

**MS. WARMAN:** No. It'll just be a really pretty brick wall.

**MS. CULLINANE:** I like that the design follows similar with Natural Grocers, like this similar height, but I feel like it isn't very welcoming, too. Like I've seen in other areas in other cities where they have like that type of wall, and it's kind of like -- kind of something usually like a shopping center or entrance or like a signage. But I think just even having that, it kind of polishes it off.

**MS. WARMAN:** And what's nice about the layout of the store too is we're in an interesting world where people still drive their car. They come and park, they come in and sit down and eat sometimes. Sometimes they go through the drive-thru. Sometimes they're walking or riding a bike along Johnson Drive, and this restaurant has an entrance right off the parking, but it has an entrance under that blade sign right off Johnson Drive. So, if people are pedestrians, they won't have to walk through the parking lot to come into the dining area to come up to order. So, it functions really well in that regard.

**CHAIRMAN LEE:** Okay. Any questions [inaudible]. Anyone else that would like to speak? [Inaudible].

**MS. CULLINANE:** Mr. Chair, I move to approve Case #23-16 as -- oh, that might be a typo. #23-16, Popeyes Redevelopment, Preliminary Development Plan with the staff's recommendations.

**MS. DUKELOW:** Second.

**CHAIRMAN LEE:** Call the roll, please.

**MS. STEFFENS:** Smith.

**MS. SMITH:** Aye.

**MS. STEFFENS:** Lee.

**CHAIRMAN LEE:** Aye.

**MS. STEFFENS:** Schmid.

**MR. SCHMID:** Aye.

**MS. STEFFENS:** Dukelow.

**MS. DUKELOW:** Aye.

**MS. STEFFENS:** Richards.

**MS. RICHARDS:** [Inaudible response]

**MS. STEFFENS:** Braden.

**MR. BRADEN:** Aye.

**MS. STEFFENS:** And Cullinane.

**MS. CULLINANE:** Aye.

**MS. STEFFENS:** And I got everybody that time, right? Thank you. Motion passed.

**Motion 3:** Megan Cullinane - Ward III/Robin Dukelow - Ward IV: Approve Public Hearing: Case #23-16 - Popeyes Redevelopment, Preliminary Development Plan as presented with staff recommendations. The motion carried 7-0-0.

**3. Case #23-18 - Popeyes Preliminary Plat - "Popeyes on Johnson Drive"**

**CHAIRMAN LEE:** Item Number 3, a Public Hearing in Case #23-18, which is also the Popeyes Preliminary Plat. [inaudible].

**MR. SCOTT:** Okay. So, this is a preliminary plat for the new Popeyes on Johnson Drive. And you can't see it very well, but it does say Preliminary Plat that shows everything. So, I'm going to go back to the site plan in the previous application. And, essentially, what the applicant is proposing to do with their request to the City, you can't really see it right now, but that's the existing right-of-way that runs right along Johnson Drive where my cursor is at on the screen. And we've asked them to dedicate additional right-of-way back behind the curb, and that would align with the right-of-way that was dedicated when the Cornerstone Commons project was developed to create that additional sidewalk that runs in front of that project. So, we're just kind of trying to create a matching look along Johnson Drive in that particular block. So, that's really the big component of this plat. Everything else meets the requirements of the plat in terms of our code, and there's really no other changes. So, that's my staff report.

**CHAIRMAN LEE:** Any questions of staff?

**MS. DUKELOW:** Mr. Chair, if there no comments or questions, I move to approve Case #23-18, Popeyes Preliminary Plat, "Popeyes on Johnson Drive."

**MR. SCHMID:** And I'll second.

**CHAIRMAN LEE:** Ms. Steffens, will you please call the roll.

**MS. STEFFENS:** Braden.

**MR. BRADEN:** Aye.

**MS. STEFFENS:** Richards.

**MS. RICHARDS:** Aye.

**MS. STEFFENS:** Cullinane.

**MS. CULLINANE:** Aye.

**MS. STEFFENS:** Smith.

**MS. SMITH:** Aye.

**MS. STEFFENS:** Lee.

**CHAIRMAN LEE:** Aye.

**MS. STEFFENS:** Schmid.

**MR. SCHMID:** Aye.

**MS. STEFFENS:** Dukelow.

**MS. DUKELOW:** Aye.

**MS. STEFFENS:** The motion passed.

**CHAIRMAN LEE:** Thank you.

**MS. WARMAN:** Thank you so much.

**Motion 4:** Robin Dukelow - Ward IV/Brian Schmid: Approve Case No. 23-18 - Popeyes Preliminary Plat - "Popeyes on Johnson Drive, as presented. The motion carried 7-0-0.

#### **IV. OLD BUSINESS**

**CHAIRMAN LEE:** Do we have any Old Business?

**MR. SCOTT:** No, Mr. Chair, we don't.

#### **V. PLANNING COMMISSION COMMENTS**

**CHAIRMAN LEE:** Comments.

#### **VI. STAFF UPDATES**

**CHAIRMAN LEE:** Updates.

**MR. SCOTT:** Mr. Chair, we have embarked on our Planning Sustainable Places Study for the Rock Creek Corridor. This is that section of the corridor from Woodson going east all the way to Roeland Drive. We had a stakeholder committee meeting two weeks ago, and it was pretty well-attended. It was kind of an introduction to the study and some initial thoughts about the study itself, and for achieving everything and kind of thoughts along that line.

Our next kind of formal stakeholders meeting, and this is open to the public, will be a Walk & Roll -- Walk & Roll on Saturday morning, September 16th. And so that will be starting at basically the Wendy's at Roeland Drive and Martway. And folks are encouraged to either bicycle or walk along the Rock Creek Corridor, essentially down

Martway, then they'll take the trail all the way to Woodson. And we're asking folks to kind of make observations of what they like about the trail, what they'd like to see improved, and any other thoughts. It'll probably be about an hour, maybe an hour and a half total.

**MS. RICHARDS:** What time?

**MR. SCOTT:** I believe it starts at 9:00 in the morning. And you actually have to register. So, I will send you a link to where to register so we kind of get a tally of how many people are going to attend, and that'll help us to kind of work through the groups and make sure you have the right amount of staff there as to manage all the groups. So I will send you a link for that. But that is Saturday, September 16<sup>th</sup>, Walk & Roll.

**MS. RICHARDS:** So, from Wendy's it starts?

**MR. SCOTT:** Yeah. Going west.

**MS. RICHARDS:** Going west by CapFed over there.

**MR. SCOTT:** Right. Exactly. Yeah.

We'll end around City Hall or maybe not quite all that way, so.

And then in conjunction with that, there's also a survey. And we're putting the final touches on the survey, so we'll release that this week. I'll send you a link to that survey as well, so you can look at that and complete that.

And we've also put out some signage along the trail. If you've walked the trail in the last week or so, you've seen little, kind of yard signs out that are drawing people's attention to the study and asking for their input, and there's a QR code that one can scan with their phone and takes you to the website for the project and it provides more detail about the study, then the link to the survey as well.

**MS. RICHARDS:** And the survey will be open?

**MR. SCOTT:** Yeah. It's open, yeah. I think it'll be open through most of the study periods, so.

And then we will be having a meeting on the, well, it'll be the September meeting, I don't remember the exact date. And we have a couple of items. One is the final plat for Morrison Ridge Park. Those are the four lots on Riggs, the 52nd block of Riggs. We saw the preliminary development plan earlier in the spring.

And then the other item will be the comp plan. So, we'll have a public hearing for the comp plan. And I will go ahead and get that posted on the website tomorrow. I'll send you all a link to that so everyone can start reading through that and absorbing it, so.

**MS. RICHARDS:** The next meeting is September 25th.

**MR. SCOTT:** The 25<sup>th</sup>, yes.

**MS. RICHARDS:** [Inaudible; talking off mic]



**MR. SCOTT:** Yeah.

(Off Record Talking)

**MS. RICHARDS:** We'll have to enroll.

**MR. SCOTT:** It sounds like you'll have an enjoyable time.

**MS. RICHARDS:** Yes.

**MR. SCOTT:** Karie is in Costa Rica right now, so, yeah. Sitting on a beach, you know, enjoying the sunset. Not thinking about here. Yeah.

**MS. STEFFENS:** Drinking iced tea?

**MR. SCOTT:** Yeah.

**MS. RICHARDS:** When is that open period? When is that open period that you talked about, a review? You said there was an open period.

**MR. SCOTT:** For the Rock Creek Corridor Study?

**MS. RICHARDS:** Yes.

**MR. SCOTT:** Yeah. I might have referred to the survey. And so the survey will open this week. We have to test that survey, and I don't think there's any close date any time soon. And so that study is going to run through the holidays. That's when we're going to try to wrap it up by the holidays and get a final report to the Planning Commission probably, I would say maybe the first of the year. That's all I have. That's it.

## **VII. ADJOURNMENT**

**CHAIRMAN LEE:** [Inaudible; talking off mic]

**MR. BRADEN:** [Inaudible; talking off mic]

**MR. SCHMID:** [Inaudible; talking off mic]

**MS. STEFFENS:** Let's see. Smith.

**MS. SMITH:** Aye.

**MS. STEFFENS:** Lee.

**CHAIRMAN LEE:** Aye.

**MS. STEFFENS:** Schmid.

**MR. SCHMID:** Aye.

**MS. STEFFENS:** Richards.

**MS. RICHARDS:** Aye.

**MS. STEFFENS:** Braden.

**MR. BRADEN:** Aye.

**MS. STEFFENS:** Dukelow.

**MS. DUKELOW:** Aye.

**MS. STEFFENS:** And Cullinane.

**MS. CULLINANE:** Aye.

**MS. STEFFENS:** Motion passed. Adjourned.

**Motion 5:** Stuart Braden - Ward I/Brian Schmid - Ward III: Motion to adjourn. Motion carried 7-0-0.

(Mission Planning Commission adjourned at 7:43 p.m.)

CERTIFICATE

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

/das \_\_\_\_\_

September 13, 2023

Deborah A. Sweeney

APPROVED BY:

\_\_\_\_\_

Kimberly Steffens, Permit Technician